

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
MARCH 21, 2022 @ 7:00 P.M.
VIA WEB CONFERENCING https://www.youtube.com/watch?v=FUM_FS1z4IA**

Members Present:

Mayor: Andrew Lennox
Councillors: Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake

Staff Present:

Chief Administrative Officer:	Michael Givens
Director of Legislative Services/Clerk:	Karren Wallace
Deputy Clerk:	Catherine Conrad
Director of Operations:	Matthew Aston
Manager of Transportation Services:	Dale Clark
Manager of Environment and Development Services:	Corey Schmidt
Community Recreation Coordinator:	Mandy Jones
Manager of Recreation Services:	Tom Bowden
Human Resources Manager:	Amy Tollefson
Economic Development Officer:	Dale Small
Chief Building Official:	Darren Jones
Director of Fire Services:	Chris Harrow
Planner:	Matthieu Daoust

CALLING TO ORDER - Chairperson Lennox

Chairperson Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest disclosed.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, February 22, 2022 (A04/22, A05/22, A06/22)

RESOLUTION: CoA 2022-007

Moved: McCabe

Seconded: Hern

THAT the Committee of Adjustment meeting minutes of February 22, 2022 – A04/22, A05/22 & A06/22 be adopted as presented.

CARRIED

APPLICATION

A07/22 – Richard Gingrich

THE LOCATION OF THE SUBJECT PROPERTY is described Concession 11, North Part Lot 20 and is Municipally known as 8884 Concession 11. The property is approximately 40 ha (98.84 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum floor area requirements for a proposed home industry (farm equipment repair shop) on the subject property. The proposed variance will permit an increased floor area of 334.45 m² (3,600 ft²), whereas the zoning by-law permits a maximum

floor area of 232.25 m² (2,500 ft²). Other variances may be considered where deemed appropriate.

SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on March 1, 2022.

PRESENTATIONS

Asavari Jadhav, Junior Planner and Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated March 16, 2022

These comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from the maximum floor area requirements for a home industry (farm equipment repair shop). The applicants are proposing to construct a new 334.45m² (3,600 ft²) farm equipment repair shop on the subject property.

We have no concerns with the requested relief and are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and would be desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Concession 11, North Part Lot 20 and is Municipally known as 8884 Concession 11, Township of Wellington North. The property is approximately 40 ha (98.84 ac) in size with an existing dwelling and three sheds.

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area requirements to establish a new home industry (farm equipment repair shop) on the subject property. The proposed variance will permit a maximum area of 334.45 m² (3,600 ft²). The current zoning by-law permits a maximum floor area of 232.25 m² (2,500 ft²).

WELLINGTON COUNTY OFFICAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The identified features include Maitland Valley Conservation Authority regulated Wetlands and Significant Wooded Areas. The proposed home industry is located outside of the Core Greenland features on the property.

Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that a home business includes home industries which “are small in scale with a limited number of employees, and minimal off-site impacts – examples include minor equipment repair, woodworking, crafts, and welding”.

Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A) and Natural Environment (NE). The applicant is proposing to construct a new 334.45 m² (3,600 ft²) home industry (farm equipment repair shop). The home industry is to remain small scale and secondary to the main use on the property. The property appears to be large enough to accommodate the home industry.

The variance requested would provide relief from Section 6.14 (d) of Zoning By-law 66-01 to establish a new home industry (farm equipment repair shop) with a maximum floor area of 334.45 m² (3,600 ft²).

Home Industry Regulations	Required	Proposed	Difference
Section 6.14 (d)	232.25 m ² (2,500.0 ft ²)	334.45 m ² (3,600 ft ²)	102.2 m ² (1,100 ft ²)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

No correspondence received.

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Richard Gingrich, Applicant, was present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Mayor Lennox inquired if there is a distinction between a home industry and an agriculturally related industry in the way our Zoning By-law deals with those respectively. Mr. Daoust explained that an on farm diversified will need to go through a zone amendment. The only real distinction is the size and scale of the operation. Typically, the on farm diversified is over 4,000 sq ft. and ranges with the number of employees. Whereas with the home industry it is typically the people who live there and allows for up to two employees that don't reside on the property. Other than that, the uses are similar. If this business wanted to grow it would have to apply for another zoning amendment.

DECISION

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A07/22, for the property described as Concession 11, North Part Lot 20, geographic Township of Arthur, with a civic address of 8884 Concession 11, to provide the following relief;

1. **THAT an increased maximum floor area of 334.45 m² (3,600 ft²) be permitted, for a proposed home industry (farm equipment repair shop), whereas the By-law allows 232.25 m² (2,500 ft²).**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2022-008

Moved: Burke

Seconded: Hern

THAT the Committee of Adjustment meeting of March 21, 2022 be adjourned.

CARRIED

Secretary Treasurer

Chair