

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 26, 2015
A01/15**

APPLICATION A01/15

Owners/Applicant: Jason Oakes

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Park Lot 4, S/S Wellington Street with a civic address of 480 Wellington Street East. The subject land is approximately 0.12 ha (0.30 acres).

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum frontage and interior side yard setback requirements of section 11.2.2 and 11.2.4 of the By-law. The property received provisional approval from the County Land Division Committee to create one residential lot subject to conditions. The variances requested will satisfy conditions related to the provisionally approved consent application.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on January 14, 2015 as well as posted on the property.

Mr. Jameson Pickard, Junior Planner for the Township of Wellington North reviewed his comments dated January 21, 2015.

The variances requested are to provide relief from sections 11.2.2 and 11.2.4 of the zoning by-law to provide relief for a reduced frontage on the proposed severed parcel and a reduced interior side yard on the retained parcel.

The Planning Department had no concerns with the relief requested at this time. This variance will satisfy a condition of provisional approval for consent applications B90/14. This application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

Wellington County Official Plan: the subject property is designated RESIDENTIAL. 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.

Wellington North Zoning By-law: The subject lands are zoned single family Residential (R1C). The property received provisional approval from the County Land Division Committee to sever the parcel in half to create two Residential lots. The parcel to be retained is occupied by a dwelling and requires a variance to the side yard setback where the new lot line is proposed. The vacant parcel does not meet the minimum frontage. As conditions of the consent approval the following variances are required:

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 26, 2015
A01/15**

- 1) That a minimum frontage of 13.62 m (44.7 ft.) be permitted, whereas the By-law requires a minimum frontage of 15 m (49.2 ft.). A total relief of 1.38 m (4.5 ft.) is being requested.
- 2) That a minimum interior side yard of 3.07 m (10 ft.) be permitted, whereas the by-law requires a minimum interior sider yard of 3.7 m (12.1 ft.). A total relief of 0.63 m (2.1 ft.) is being requested.

Planning Consideration

The properties immediately adjacent to the subject lands range in size and width as well as housing style. The proposed lot would be the smallest lot in the immediate area; however it does exceed the minimum lot area requirements of the R1C zone. The proposed lot area is 518 m² (5, 575 ft²), whereas the minimum required lot area is 465 m² (5005.4 ft²) an increase of 53 m² (570 ft²) from what is required. The configuration of the proposed lot would provide a consistent lot depth and an above standard lot area, allowing any development to be sited similarly to neighbouring dwellings.

New growth is guided by Provincial Policy which is placing increasing pressure on municipalities to develop in a more compact and efficient way, which includes infilling. The development trend will be towards smaller lots and compact development as seen in developments south of the subject property and similar to this proposal. Compatible development is not considered to be identical development but rather development which can co-exist with existing adjacent development while not creating unacceptable impacts.

This proposal would allow for an underutilized parcel to be developed, while taking advantage of existing municipal infrastructure to service it. The new dwelling will be able to be constructed on the lot, subject to the R1C zone provisions, with a compatible lot depth and housing style similar to its surroundings.

The Planning Department is satisfied that this application would maintain 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.

CORRESPONDENCE/COMMENTS RECEIVED

Saugeen Valley Conservation Authority (SVCA), correspondence dated January 21, 2015
Advised the proposed minor variance is acceptable to the SVCA.

Harry Engel, 470 Wellington St. E, Mount Forest, correspondence dated received by Wellington North January 23, 2015 and circulated at the public meeting.
Opposed to the application based on unsuitability with the neighbourhood; setting precedent for other severances; esthetics and values of neighbouring properties and drainage issues.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 26, 2015
A01/15**

QUESTIONS/COMMENTS

- Persons present who wish to make oral and/or written submissions in support of the proposed minor variance.

Bruce Fulcher, R.R. # 2 Mount Forest, agent for the applicant was present to answer questions regarding the application and addressed concerns about the lot size and effect on existing neighbourhood as well as the drainage issue.

- Persons present who wish to make oral and/or written submissions against this application.

Harry Engel, 470 Wellington Street East, Mount Forest raised objections and cited a petition neighbours had signed objecting to the severance.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.
- Committee – Comments and Questions
The Committee requested that the Application be deferred so that outstanding issues can be resolved.

RESOLUTION NUMBER CoA 2015-003

Moved by: Councillor Burke

Seconded by: Councillor Goetz

THAT the minor variance applied for in Application A01/15 be deferred.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2015-004

Moved by: Yake

Seconded by: McCabe

THAT the Committee of Adjustment meeting of January 26, 2015 be adjourned at 7:26 p.m.

CARRIED


Secretary Treasurer


Chairman