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Committee of Adjustment

Monday, February 12th, 2018

2:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<u>CALLING TO ORDER</u>	
- Chairman Lennox	
<u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u>	
<u>MINUTES OF PREVIOUS MEETING(S)</u>	
Committee of Adjustment, January 8 th , 2018 (A12-17)	1
<u>APPLICATION A01-18</u>	
<u>OWNERS/APPLICANT</u>	
- 861467 Ontario Inc.	
<u>LOCATION OF THE SUBJECT LAND</u>	
The location of the subject property is described as Part 1 of Park Lots 1 & 2, MaCaulay Street South (geographic Township of Arthur), with frontage on Eliza Street, Arthur. The subject land is approximately 2 ha (5.09 acres). The location of the property is shown on the map attached.	6

AGENDA ITEM	PAGE NO.
<u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A02-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- Donald and Kimberly Martin <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Lot 29, Concession 3 (geographic Township of West Garafraxa), with a civic address of 7319 Second Line. The subject land is approximately 38.4 ha (95 acres). The location of the property is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicant is proposing a new barn and cannot meet the minimum distance required to the surrounding neighbouring dwellings. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none">- See attached comments	11
<p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	12

AGENDA ITEM	PAGE NO.
<p><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p>Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A03-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- John and Mary Beth Van Veen <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Lot 17, Concession 3 (geographic Township of Arthur), with a civic address of 8978 Concession 2. The subject land is approximately 39.5 ha (97.6 acres). The location of the property is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicant is proposing a new barn and manure storage area and cannot meet the minimum distance required to the neighbour's dwellings. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none">- See attached comments	15
<p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	16

AGENDA ITEM	PAGE NO.
<p><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p>Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A04-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- Antonio and Anna Gouveia <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Lot 16, Concession 1 (geographic Township of Arthur), with a civic address of 9008 Wellington Rd 14. The subject land is approximately 38.65 ha (95.5 acres). The location of the property is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief for an increased floor area of an accessory structure on the property. The applicant is requesting permission to recognize the existing 2,100 sq ft accessory structure. This variance is a condition of severance application B117/17, that was granted provisional approval by the Wellington County Land Division Committee. The applicant is also requesting permission to construct a new 5,000 sq ft accessory structure with the understanding that it will replace the existing 2,100sq ft accessory structure. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p>	19
<p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none">- See attached comments <p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p>	20

AGENDA ITEM	PAGE NO.
<p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p> <p><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p>Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A05-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- Stanley Martin <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Part Lot 19 & 20, Concession 10 (geographic Township of Arthur), with a civic address of 8901 Concession 11. The subject land is approximately 0.83 ha (2 acres). The location of the property is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the maximum ground floor area and minimum setback requirements for a hobby barn on a lot equalling 0.8 ha (2.0 ac). The applicant is requesting permission to construct a 178.37 m² (1,920ft²) hobby barn with a rear yard setback of 6m (20ft). Other variances may be considered where deemed necessary.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none">- See attached comments	22
<p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	23

AGENDA ITEM	PAGE NO.
<p data-bbox="186 279 852 359"><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p data-bbox="186 401 1266 472">Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p data-bbox="186 512 1266 583">Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p data-bbox="186 625 1075 665"><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A06-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none"> - Anna Lovas and Laurie Morgan <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Lot 6, Concession 12 (geographic Township of Arthur), with a civic address of 6828 Sideroad 3 W. The subject land is approximately 2.1 ha (5.2 acres). The location of the property is shown on the map below.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to construct the accessory building on a vacant lot before the main residential use is established. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none"> - See attached comments 	<p>25</p>
<p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>Michael Oberle, Environmental Planning Technician, SVCA</p>	<p>26</p>
<p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	<p>28</p>

AGENDA ITEM	PAGE NO.
<p data-bbox="186 279 850 359"><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p data-bbox="186 401 1266 472">Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p data-bbox="186 512 1266 583">Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p data-bbox="186 625 1073 665"><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p>	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A07-18</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none"> - W. Schwindt and Sons Building Contractors Ltd. <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Part Park Lot 3, Registered Plan 60R-2864, Part 1 (geographic Township of Mount Forest), with a civic address of 625 Albert Street, Mount Forest. The subject land is approximately 650 m² (0.16 acres). The location of the property is shown on the map below.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the minimum front yard and minimum rear yard set back to construct the main dwelling on the lot. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on January 29th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none"> - See attached comments <p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>Michael Oberle, Environmental Planning Technician, SVCA</p> <ul style="list-style-type: none"> - No Objection. <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	<p>33</p> <p>34</p> <p>36</p>

AGENDA ITEM	PAGE NO.
<p data-bbox="188 279 850 359"><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p data-bbox="188 401 1266 470">Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p data-bbox="188 512 1266 581">Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p data-bbox="188 625 1073 663"><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p> <p data-bbox="188 709 480 747"><u>ADJOURNMENT</u></p>	

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 8, 2018 – 2:00 P.M.
A12/17**

The Committee of Adjustment met in the Municipal Office Council Chambers, Kenilworth.

Members Present:

**Chairman: Andrew Lennox
Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake**

Staff Present:

**CAO: Michael Givens
Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Chief Building Official: Darren Jones
Director of Finance and Treasury: Adam McNabb
Economic Development Officer: Dale Small
Human Resources Manager: Chanda Riggi
Roads Superintendent: Dale Clark
Senior Planner: Curtis Marshall**

THE CHAIRMAN CALLED THE MEETING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

MINUTES OF PREVIOUS MEETING(S)

RESOLUTION NUMBER CoA 2018-01

Moved by: Member McCabe

Seconded by: Member Yake

THAT the Committee of Adjustment meeting minutes of December 4, 2017 – A11/17 be adopted as presented.

CARRIED

APPLICATION A11/17

Owners/Applicant: Reginald Small

The location of the subject property is described as Lot 3, Concession 12 (geographic Township of Arthur), with a civic address of 9535 Wellington Rd 6. The subject land is approximately 3.77 ha (9.33 acres).

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 8, 2018 – 2:00 P.M.
A12/17**

The purpose and effect of the application is to provide relief from the maximum floor area and height requirements for an accessory building on the subject property. The applicants are proposing to construct a new agricultural storage building that exceeds the permitted size (area) and height. Other variances may be considered where deemed appropriate.

NOTICE OF THIS MEETING was mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on December 21, 2017 pursuant to the provisions of the Planning Act.

PRESENTATION

Curtis Marshall, Senior Planner, reviewed his comments dated January 2, 2018.

Planning Comments: The variances requested provide relief from the maximum floor area and height requirements for an accessory building on the subject property. The applicants are proposing to construct a new 445.9 m² (4800 ft²) agricultural storage building that exceeds the permitted size (area) and height. The new building (coverall) will be used to store farm equipment and loads of hay and straw. The applicant owns additional agricultural properties, however wishes to construct the building on the subject property where they reside.

They have no concerns with the relief requested for the new structure which is to be used for storing hay/straw and farm equipment as part of a larger farm operation. The reduced side yard setback of the building should not impact adjacent property owners as the proposed 6.0 m provides sufficient room for drainage, and there are no neighbouring residential dwellings in close proximity. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the property is described as Lot 3, Concession 12 (Arthur), with a municipal address of 9535 Wellington Road 6. The subject land is approximately 3.8 ha (9.33 acres) and is occupied by a dwelling and a hobby barn (153.0 m²/1646.8 ft²). The location of the property is shown on Figure 1 below.

PROPOSAL

The variances requested provide relief from the maximum floor area and height requirements for an accessory building on the subject property. The applicants are proposing to construct a new 445.9 m² (4800 ft²) agricultural storage building that exceeds the permitted size (area) and height.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 8, 2018 – 2:00 P.M.
A12/17**

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. The CORE GREENLAND area is further identified as being hazard lands. Permitted uses include agricultural uses, single detached dwellings, and accessory buildings. The proposed storage building is located outside of the hazard lands identified on the property.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A) and Natural Environment (NE). Section 6.1 (Accessory Uses) applies to new accessory buildings on lots which are less than 10.1 ha (25.0 acres) in size. The maximum lot coverage permitted is dependent on the size of the property.

According to the By-law, the existing hobby barn is not included in the ground floor area calculation.

The following relief is requested:

	Zoning By-Law (66-01)		
	Required	Requested	Difference
Maximum Ground Floor Area of all Accessory Buildings (Section 6.1.4 b)	167.2 m ² (1800.0 ft ²) (based on a lot size of 3.8 ha/9.33 acres)	445.9 m ² (4800.0 ft ²)	278.7 m ² (3000.0 ft ²)
Maximum Height for an Accessory Building (Section 6.1.3)	4.5 m (14.8 ft)	5.0 m (16.45 ft)	0.5 m (1.65 ft)

CORRESPONDENCE/COMMENTS RECEIVED

Michael Oberle, Environmental Planning Technician, SVCA

- Acceptable to SVCA staff.

Pasquale Costanzo, CET, Engineering Technologist, County of Wellington

- No objection.

REQUEST FOR NOTICE OF DECISION

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

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 8, 2018 – 2:00 P.M.
A12/17**

CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

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

The applicant was present to answer any questions regarding their application.

- Persons present to make oral and/or written submissions against the proposed minor variance.

No persons were present to make oral and/or written submissions against the proposed minor variance.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

The Committee of Adjustment of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted the Committee to make an informed decision on this planning matter.

RESOLUTION NUMBER CoA 2018-02

Moved by: Member McCabe

Seconded by: Member Burke

THAT the minor variance applied for in Application A12/17, for the property described as Part. Lot 3, Concession 12, geographic Arthur Township (9535 Wellington Road 6), to provide the following relief:

1. *THAT a total ground floor area of 445.9 m² (4,800 ft²) be permitted, whereas section 6.1.4 b) of the By-law permits a total maximum ground floor area of 167.2 m² (1,800 ft²) for a lot this size; and*
2. *THAT a maximum Accessory Building Height of 5.0 m (16.45 ft.) be permitted, whereas section 6.1.3 of the By-law requires 4.5 m (14.8 ft.).*
be authorized.

CARRIED

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JANUARY 8, 2018 – 2:00 P.M.
A12/17**

ADJOURNMENT

RESOLUTION NUMBER CoA 2018-03

Moved by: Member Yake

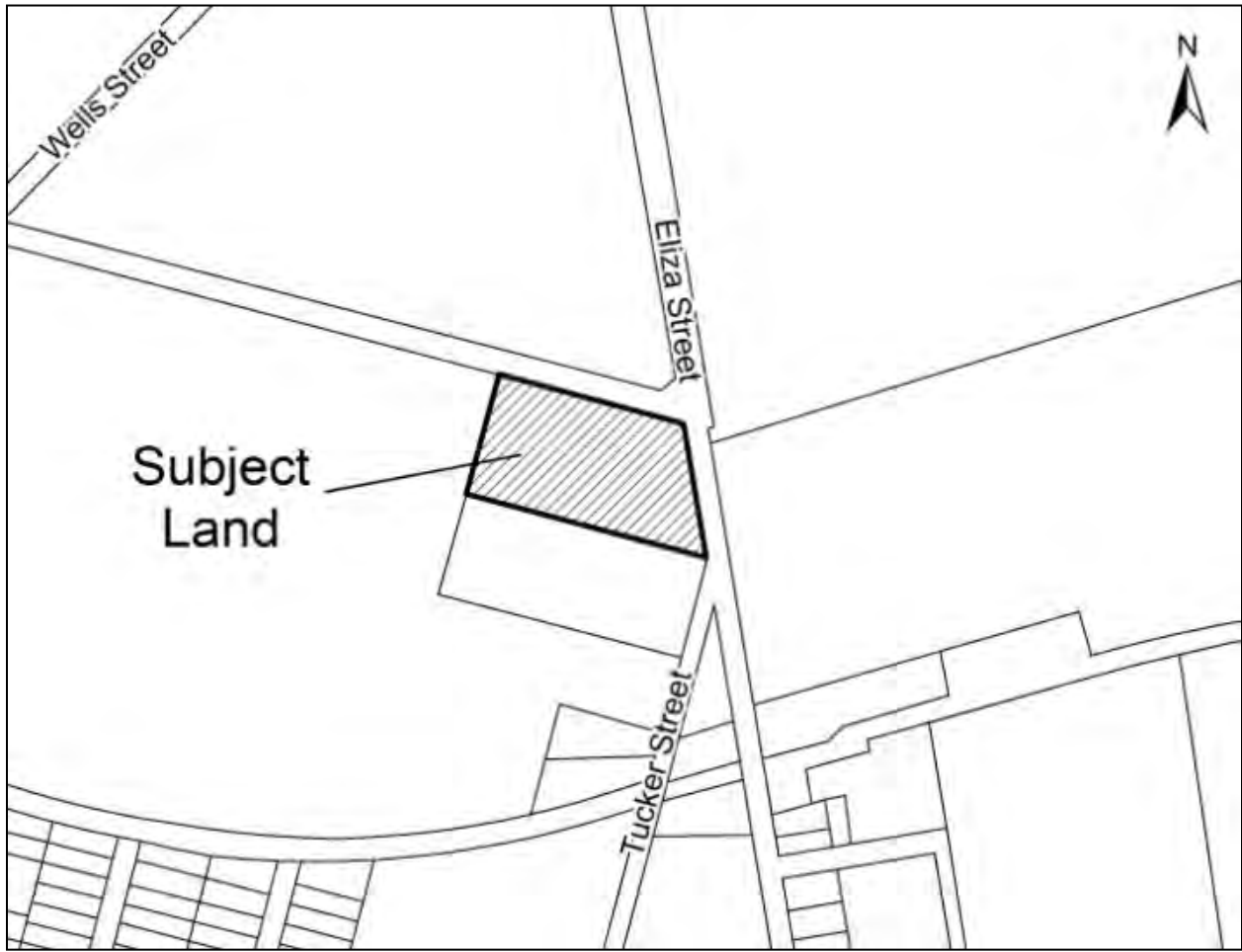
Seconded by: Member McCabe

THAT the Committee of Adjustment meeting of January 8, 2018 be adjourned at 2:47 p.m.

CARRIED

Secretary Treasurer

Chair



A01-18 – 861467 Ontario Inc.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694N1H 3T9
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A01/18**
Part 1 of Park Lots 1 & 2, MaCaulay Street S
Eliza Street, Arthur
861467 Ontario Inc

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from Section 6.8 of the by-law to permit the construction of a private well and septic system in the urban area of Arthur. The applicant is proposing to construct a shop/office building on private well and septic system as there are no municipal services available to hook up to at this time.

We have no concerns with the relief requested for private well and septic system services within the urban area. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property. Staff recommends that the applicant connect to municipal services when they become available in front of the property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Part 1 of Park Lots 1 & 2, MaCaulay Street South (geographic Township of Arthur), with frontage on Eliza Street, Arthur. The subject land is vacant and approximately 2 ha (5.09 acres). The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the by-law to permit a private well and septic system on the subject property within the urban area of Arthur. The applicant wishes to construct the well and septic system to service a proposed business on the property.



Figure 1

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated INDUSTRIAL. 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.

Section 11.2.4 gives consideration to individual on-site servicing for new development in an urban centre, stating that "Individual on-site servicing is not allowed in urban centres which have central systems except: ...ii) to allow a small scale use on an existing lot in an area where central services are not reasonably anticipated.

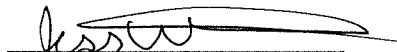
TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Industrial (M1) with a Holding Provision (H). The M1(H) zone limits permitted uses to agricultural, existing residential and accessory uses until such time that services are available. In order to permit the proposed contractor yard and associated office use the (H) will have to be lifted. This will require a future zone amendment.


At this time, the application is required in order to permit the development of the site with private septic system and well. As such, the following variance is required; Relief from Section 6.8 to allow development on the site to be serviced by private septic system and well.

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Jessica Wilton, Junior Planner



Linda Redmond,
Manager of Planning & Environment

Darren Jones

From: Barry Trood
Sent: Thursday, February 01, 2018 2:54 PM
To: Darren Jones; Corey Schmidt
Cc: Sara McDougall
Subject: RE: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: 861467 Ontario Inc

Hi Darren,

There doesn't appear to be any issues from our end as it relates to a private septic and well on this site. This site is currently not in the Source water protection zone and we currently do not have sanitary and water in front of this property. It is indicated in the Arthur Master Plan for extension of sanitary/water through a Wells St /McCauley St /Eliza St extension but that is sometime into the future depending on growth and funding. **When this does occur the owners of this property must connect to town water and sanitary and will have to de-commission septic /well.**



Barry Trood

*Superintendent, Water & Wastewater Services
Township of Wellington North*

Arthur 519.848.5327 Mt Forest 519.323.2900
FAX 519.848.5291
btrood@wellington-north.com

7490 Sideroad 7 W, PO Box 125,
Kenilworth, Ontario, N0G 2E0
www.wellington-north.com



RECEIVED

FEB 6 - 2018

TOWNSHIP OF WELLINGTON NORTH COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

COUNTY OF WELLINGTON

FEB 06 2018

Planning Act, R.S.O. 1990, Chap.P.13, ss.45 (5)

ENGINEERING SERVICES DEPARTMENT

TWP. OF WELLINGTON NORTH

A1/18

TAKE NOTICE that an application for minor variance, under the above file number has been submitted to the Committee of Adjustment for the Township of Wellington North. The Committee will give consideration to the minor variance application on:

February 12, 2018
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth.
2:00 p.m.

THE LOCATION OF THE SUBJECT PROPERTY is described as Part 1 of Park Lots 1 & 2, MaCaulay Street South (geographic Township of Arthur), with frontage on Eliza Street, Arthur. The subject land is approximately 2 ha (5.09 acres). The location of the property is shown on the map below.

THE PURPOSE AND EFFECT of the application is provide relief from the by-law to permit a private well and septic system on the subject property within the urban area of Arthur. The applicant wishes to construct the well and septic system to service a proposed shop/office on the property. Other variances may be considered where deemed appropriate.

MAKING AN ORAL OR WRITTEN SUBMISSION

Any person or public body is entitled to attend the public meeting and make written or oral submissions on the proposed variance.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the variance is passed, the person or public body is not entitled to appeal the decision of the Committee of Adjustment of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the variance is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

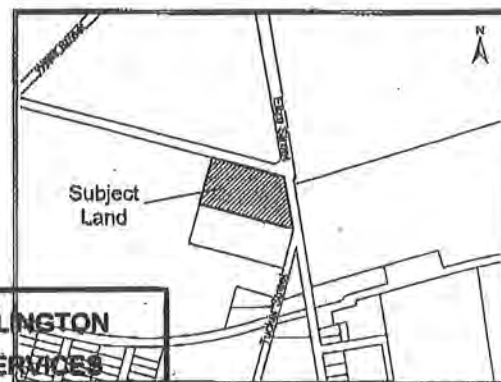
NOTICE OF DECISION

If you wish to be notified of the decision of the Committee of Adjustment for the Township of Wellington North in respect of this application, you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment for the Township of Wellington North at the address provided below.

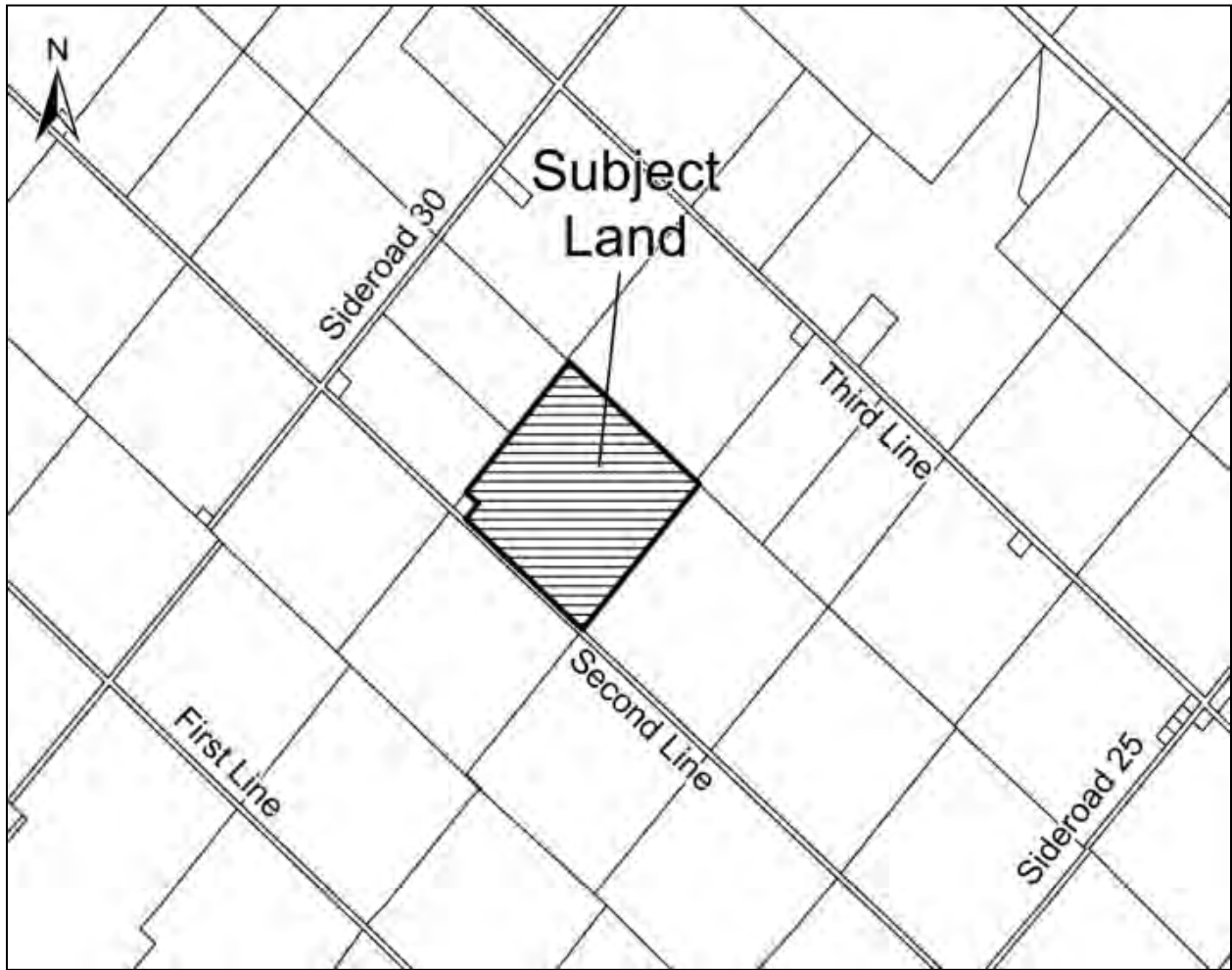
ADDITIONAL INFORMATION regarding this application will be available for inspection at the Township of Wellington North Municipal Office during regular business hours.

Dated at the Township of Wellington North
This 29th day of January 2018

Darren Jones, Building/Zoning Dept.
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-1119



COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
FEB 06 2018
Date:



A02-18 – Donald and Kimberly Martin



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A02/18**
Part Lot 29, Concession 3
7319 Second Line, Wellington North
Don Martin

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would permit the construction of a new swine finishing barn to grow the existing operation. The location of the proposed barn does not meet the minimum distance separation (MDS II) from the surrounding neighbours dwellings. MDS II is not achievable on this property due to the setback requirements to the GRCA restricted wetlands as well as the functionality of keeping the new barn with the existing farm cluster.

We have no concerns with the relief requested for the new barn. The location of the proposed new barn provides operational efficiency. The structures are proposed to be built at the rear of the existing farm building cluster which is furthest from the neighbouring home. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 29, Concession 3 (geographic Township of West Garafraxa), with a civic address of 7319 Second Line. The subject land is approximately 38.4 ha (95 acres) and is occupied by a farming operation including dwelling barns and equipment shed.

PROPOSAL

The purpose of this application is to provide relief from the minimum distance separation (MDS II) setback requirements from the surrounding neighbours dwellings for a proposed new swine finishing barn.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS, GREENLANDS. The farm building cluster is well removed from the CORE GREENLANDS AND GREENLANDS areas. In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, 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 location of the proposed new barn and manure tank within the barn does not meet the minimum distance separation (MDS II) from the surrounding neighbours dwellings. The following relief is required:

1. Ashley Residence- 7337 Second Line	Required	Proposed	Difference
New Swine Finishing Barn and Manure Tank MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	538 m (1,766 ft.)	309 m (1015 ft.)	229 m (751 ft.)

2. Bauman Residence- 7322 Second Line	Required	Proposed	Difference
New Swine Finishing Barn and Manure Tank MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	538 m (1,766 ft.)	183 m (600 ft.)	355 m (1,166 ft.)

3. Eby Residence- 7289 Second Line	Required	Proposed	Difference
New Swine Finishing Barn and Manure Tank MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	538 m (1,766 ft.)	366 m (1,200 ft.)	172 m (566 ft.)

4. Diefenbacher Residence- 7286 Second Line	Required	Proposed	Difference
New Swine Finishing Barn and Manure Tank MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	538 m (1,766 ft.)	427 m (1,400 ft.)	111 m (366 ft.)

Figure 1: MDS Arcs from Proposed Barn and Manure Tank



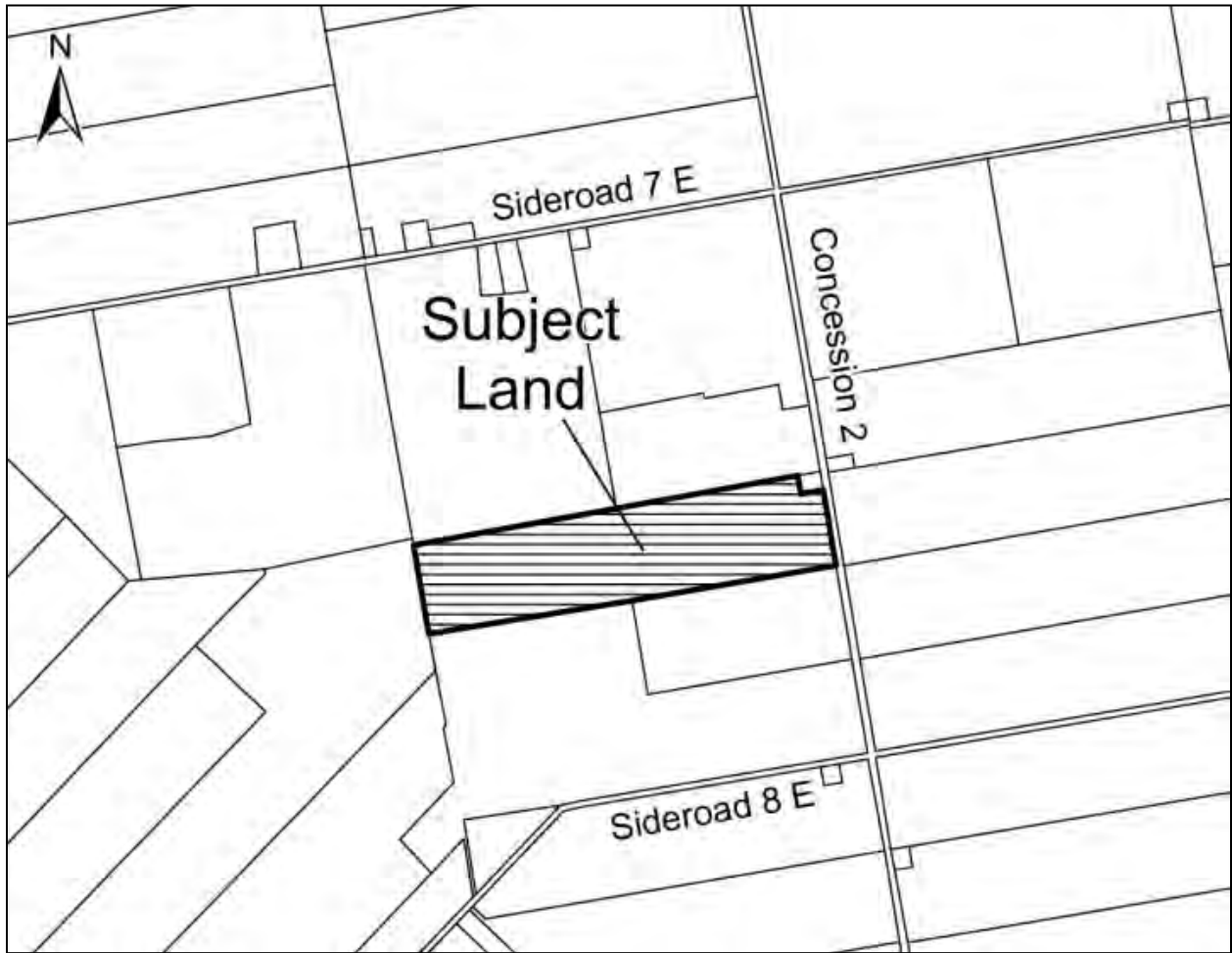
I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,

 Jessica Wilton, Junior Planner

L. Redmond

 Linda Redmond,
 Manager of Planning & Environment



A03-18 – John and Mary Beth Van Veen



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A03/18**
Part Lot 17, Concession 3
8978 Concession 2, Arthur
John Van Veen

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would permit the construction of a new swine nursery barn and manure pit to grow the existing operation. The location of the proposed barn does not meet the minimum distance separation (MDS II) from the surrounding neighbours dwellings. MDS II is not achievable on this property due to topography and setbacks from the wetland limits.

We have no concerns with the relief requested for the new barn. The location of the proposed new barn provides operational efficiency. The structures are proposed to be built at the rear of the existing farm building cluster. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 17, Concession 3 (geographic Township of Arthur), with a civic address of 8978 Concession 2. The subject land is approximately 39.5 ha (97.6 acres) and is occupied by a farming operation including a dwelling and century bank barn. The location of the property is shown on Figure 1 below.

PROPOSAL

The purpose of this application is to provide relief from the minimum distance separation (MDS II) setback requirements from the surrounding neighbours dwellings for a proposed new nursery barn and manure pit.

Provincial Policy Statement (PPS)

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL AND CORE GREENLANDS. The farm building cluster is well removed from the CORE GREENLANDS areas. In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, 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

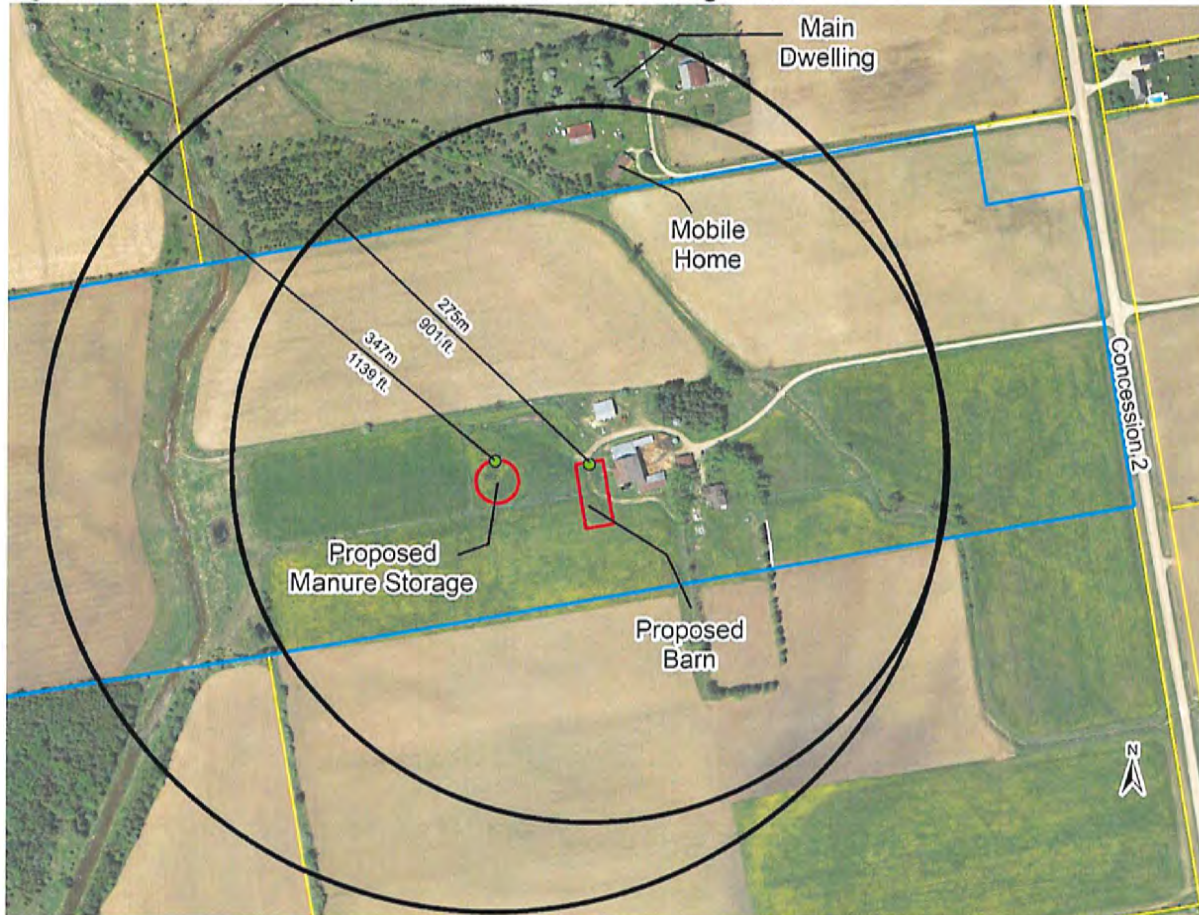
The subject property is zoned Agricultural (A) and Natural Environment (NE). The location of the proposed new barn and manure storage do not meet the minimum distance separation (MDS II) from the neighbour's dwellings.

The following reliefs are required:

8990 Concession 2 - Mobile Home	Required	Proposed	Difference
New Swine Barn MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	275 m (901 ft.)	218 m (715 ft.)	57 m (186 ft.)
Manure Storage Area MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	347 m (1,139 ft.)	209 m (685 ft.)	138 m (454 ft.)

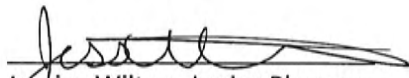
8990 Concession 2 -Main Dwelling	Required	Proposed	Difference
Manure Storage Area MDS II setbacks to Type A Uses (Sections: 6.17.2 & 8.8)	347 m (1,139 ft.)	270 m (885 ft.)	77 m (254 ft.)

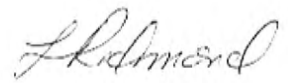
Figure 1: MDS Arcs from Proposed Barn and Manure Storage Area

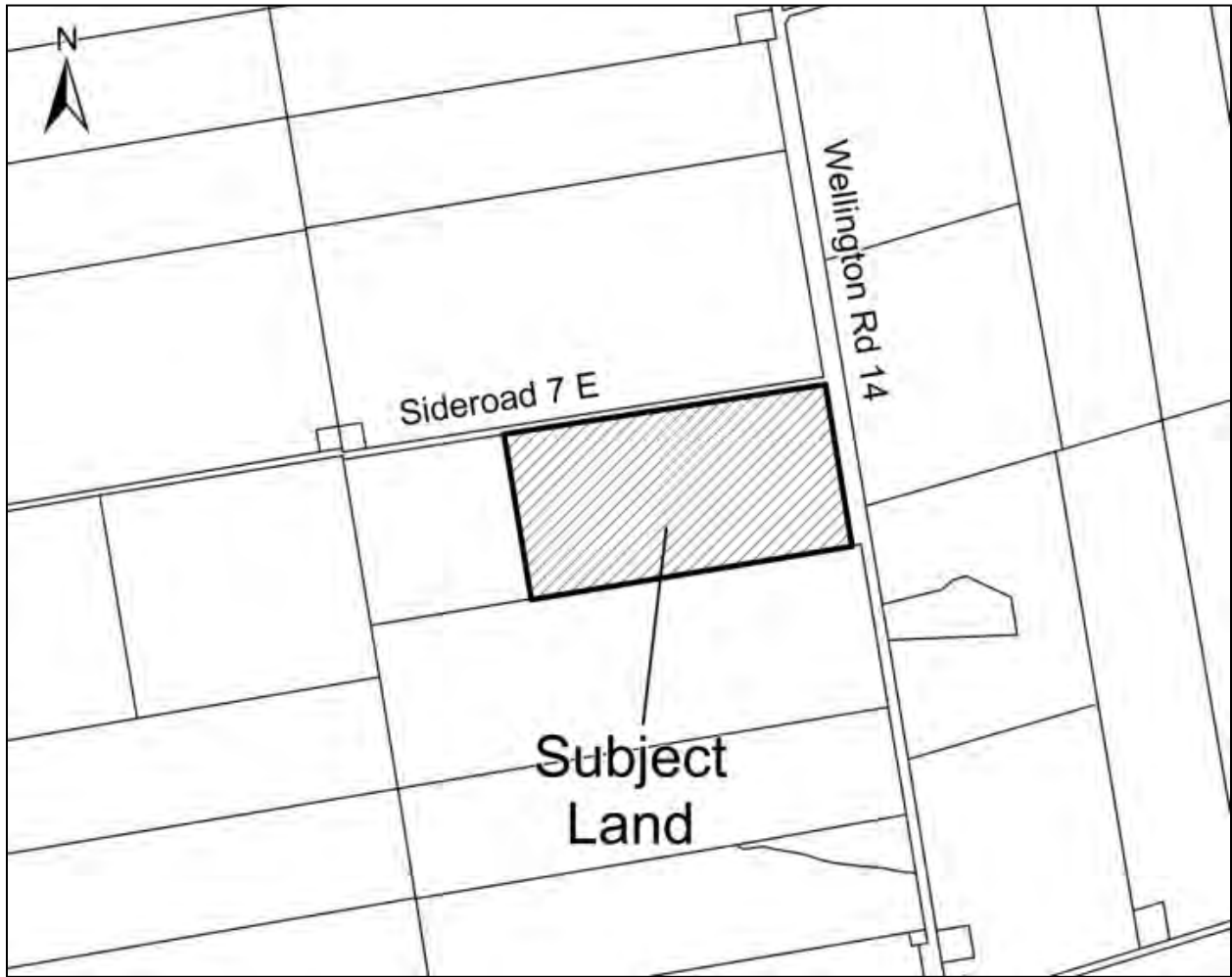


I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,


Jessica Wilton, Junior Planner


Linda Redmond,
Manager of Planning & Environment



A04-18 – Antonio and Anna Gouveia



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
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1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A04/18**
Part Lot 16, Concession 1
9008 Wellington Road 14, Arthur
Antonio & Paula Gouveia

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested is to provide relief for an increased floor area of an accessory structure on the property. The applicant is requesting permission to recognize the existing 2,100 sq ft accessory structure, where the by-law permits a 1,200 sq ft accessory structure on the proposed new lot size. This variance is a condition of consent application B117/17, that was granted provisional approval by the Wellington County Land Division Committee on December 13, 2017. The applicant is also requesting permission to construct a new 5,000 sq ft accessory structure with the understanding that it will replace the existing 2,100 sq ft accessory structure.

We have no concerns with the size of the existing 2,100 sq ft structure and are satisfied that the existing structure maintains 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. However, it is Planning Staff's opinion that the proposed 5000 sq ft shed is too large and is not "accessory", "incidental" or "subordinate" to the main dwelling as required under the definition of an accessory building in the Zoning By-law. The proposed shed is four times larger than permitted by the By-law, which is not minor in nature.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 16, Concession 1 (geographic Township of Arthur), with a civic address of 9008 Wellington Road 14. The subject land is approximately 38.62ha (95.5 acres). The location of the property is shown on Figure 1 below.

PROPOSAL

The purpose of this application is to provide relief for an increased floor area of an accessory structure on the property. The applicant is requesting permission to recognize the existing 2,100 sq ft accessory structure. This variance is a condition of severance application B117/17, that was granted provisional approval by the Wellington County Land Division Committee. The applicant is also requesting permission to construct a new 5,000 sq ft accessory structure with the understanding that it will replace the existing 2,100sq ft accessory structure.

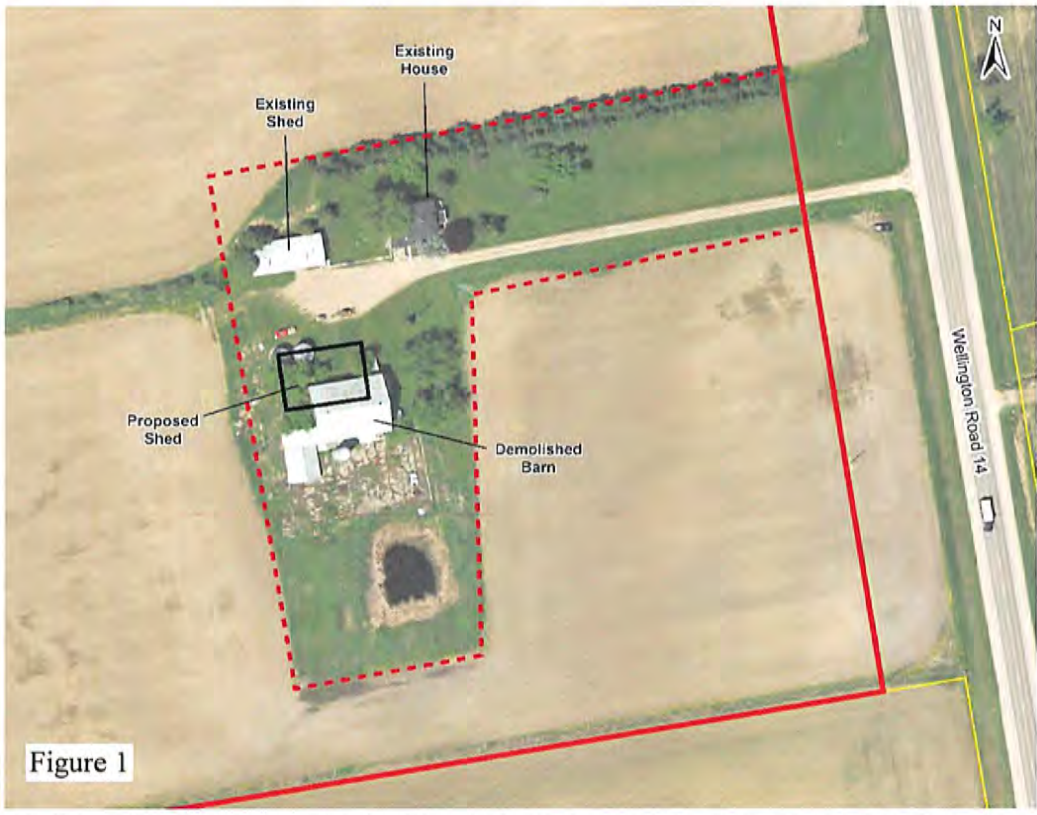
WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL. 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 applicants are proposing to recognize the existing accessory building as a condition of consent application. The new lot is proposing to go from 95.5 ac (38.65 ha) to 3.7 ac (1.5 ha) which allows for a 111.48 sq m (1,200 sq ft) accessory building and there is an existing 195 sq m (2,100 sq ft). With the reduced lot size the existing 195 sq m (2,100 sq ft) drive shed will be 83.5 sq m (900 sq ft) larger than the permitted accessory structure size, which is a 75% increase from the permitted size. The applicant are also proposing a new 464.5 sq m (5000 sq ft) shed to replace the existing 195 sq m (2100 sq ft) shed in the near future. The following relief is requested:

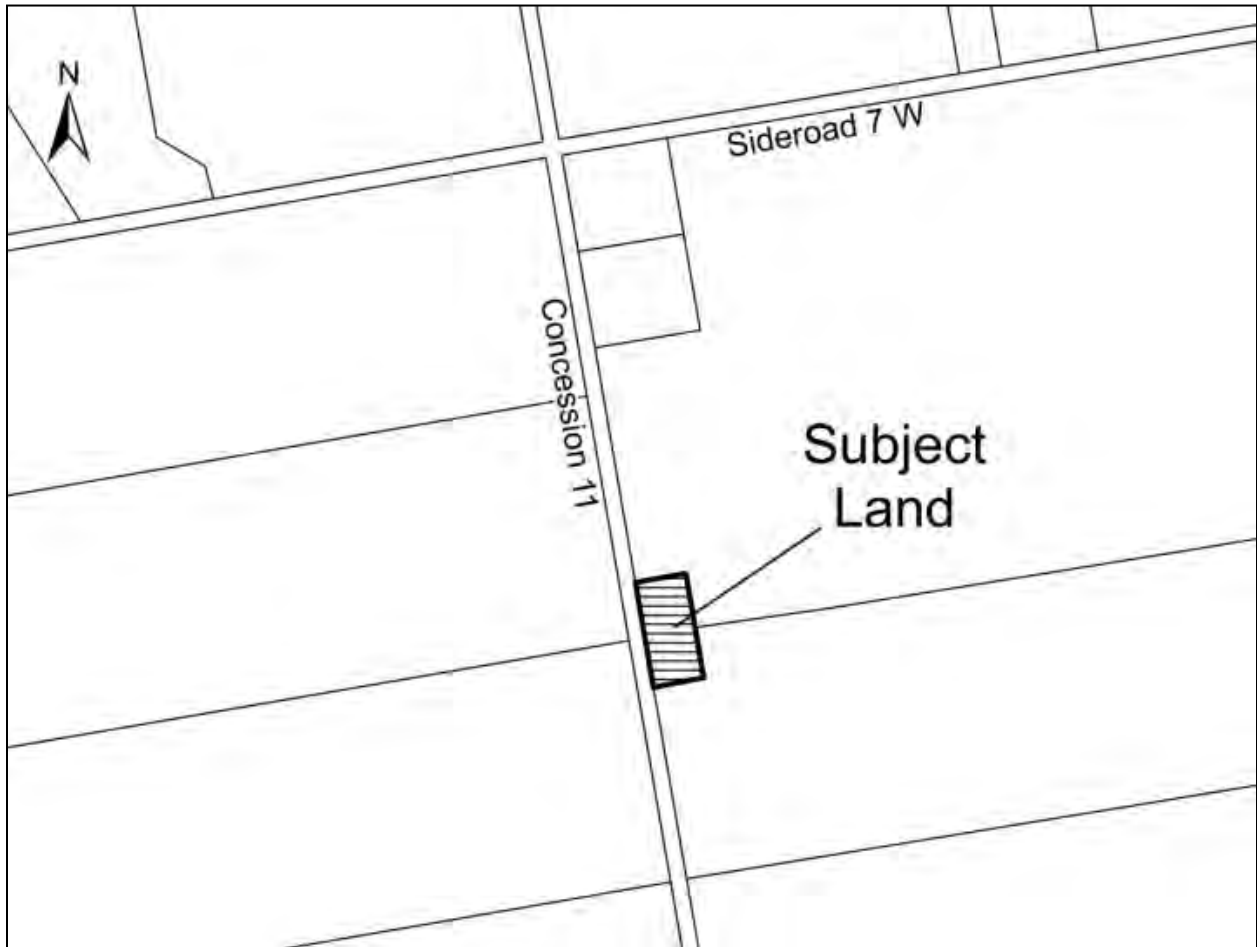
Accessory Structure	Permitted	Proposed	Difference
Existing Accessory Structure Maximum Ground Floor Area (Section 6.1.4 b)	111.5 m ² (1200 ft ²)	195 m ² (2100 ft ²)	83.5 m ² (900 ft ²)
Proposed Accessory Structure Maximum Ground Floor Area (Section 6.1.4 b)	111.5 m ² (1200 ft ²)	464.5 m ² (5000 ft ²)	353 m ² (3800 ft ²)



I trust that this information will be of assistance to the Committee when making their decision on this application.
Yours truly,

Jessica Wilton
Jessica Wilton, Junior Planner

Linda Redmond
Linda Redmond,
Manager of Planning & Environment



A05-18 – Stanley Martin



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A05/18**
Part Lot 19 & 20, Concession 10
8901 Concession 11, Arthur
Stanley Martin

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from the maximum floor area and setback requirements for a hobby barn on a rural residential lot. The applicant is proposing to construct a new hobby barn with a floor area of 178.37m² (1,920 ft²) and a rear yard setback of 6 m (20 ft).

The proposal is to house up to 20 horses on a temporary period only. The closest dwelling is located over 700 ft from the proposed hobby barn and the property is surrounded by agricultural land. We have no concerns with the application as it generally maintains the intent and purpose of the Official Plan and Zoning By-law as the lands are located within an agricultural area and zoned accordingly.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Part Lot 19 & 20, Concession 10 (geographic Township of Arthur), with a civic address of 8901 Concession 11. The subject land is approximately 0.8 ha (2 acres). The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the maximum ground floor area and minimum setback requirements for a hobby barn on a lot equalling 0.8 ha (2.0 ac). The applicant is requesting permission to construct a 178.37 m² (1,920 ft²) hobby barn with a rear yard setback of 6 m (20 ft).



Figure 1

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated Prime Agricultural in the Official Plan. 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.

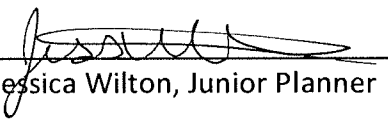
TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

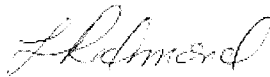
The subject property is zoned Agricultural (A). The current provision permit a hobby barn on lots less than 10.1 ha (25 ac). The subject property is 0.8 ha (2.0 ac) in size which allows for a 27.9 sq m (300.3 sq ft) hobby barn that shall not be located closer than 22.8 m (74.8 ft) from any property line. Due to the size of the lot and lay of the lands, the proposed location is the best option for the hobby barn. The applicant is proposing a 178.37 sq m (1920 sq ft) hobby barn with a rear yard setback of 6m (20 ft) to house up to 20 horses on a temporary basis. With respect to the impact, the property is surrounded by agricultural uses and the closest dwelling is approximately 213.4m (700 ft) away from the proposed hobby barn. There are no rural residential uses in proximity that may be impacted. The following relief is requested:

Hobby Barn	Permitted	Proposed	Difference
Maximum Ground Floor Area (Section 8.3.1)	27.9m ² (300.3 ft ²)	178.37 m ² (1920 ft ²)	150.47 m ² (1619.7 ft ²)
Rear Yard Setback (Section 8.3.2 a)	22.8m (74.8ft.)	6 m (20 ft.)	16.8 m (54.8 ft.)

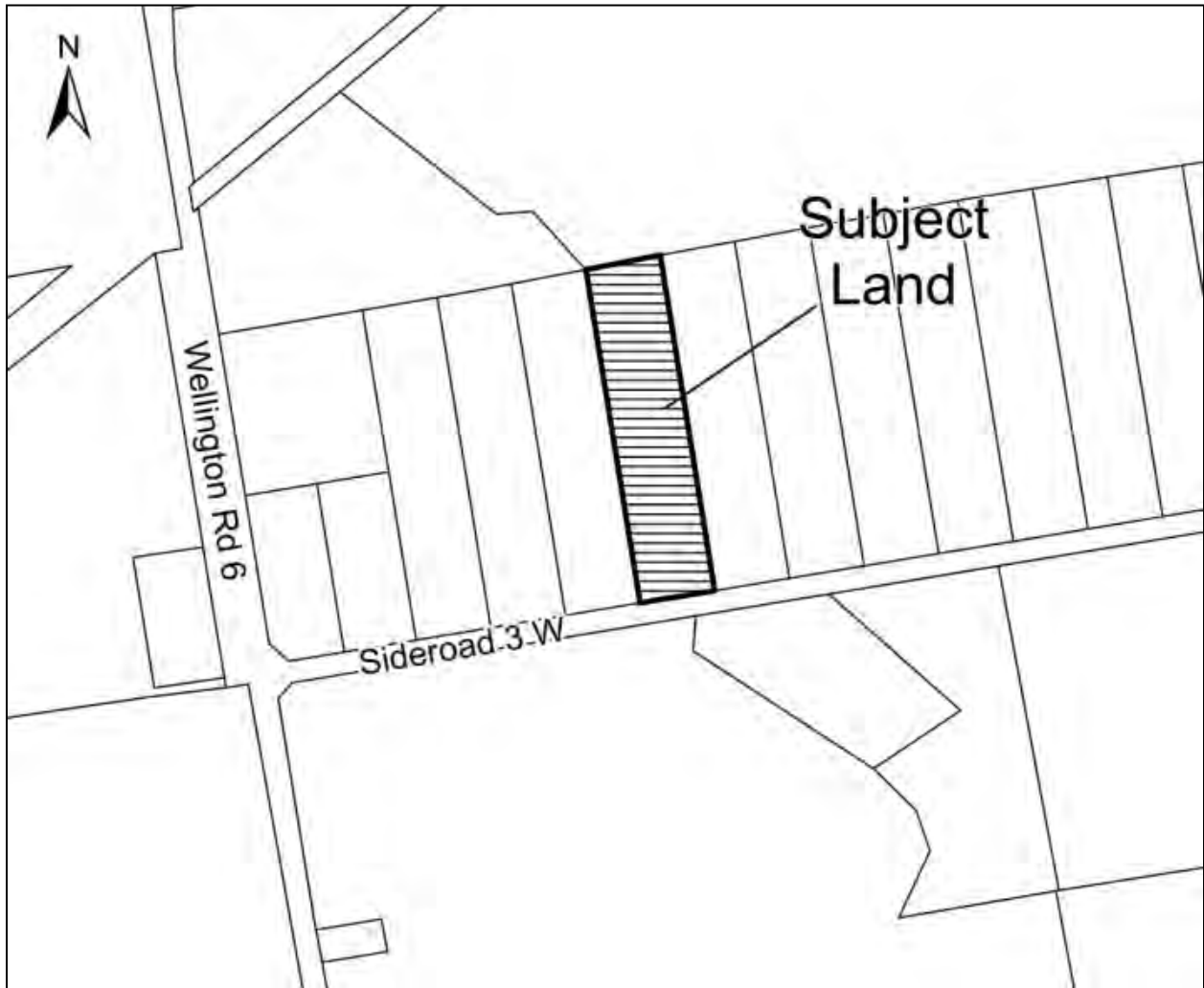
I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,


 Jessica Wilton, Junior Planner



 Linda Redmond,
 Manager of Planning and Environment



A06-18 – Anna Lovas and Laurie Morgan



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
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1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A06/18**
Part Lot 6 Concession 12
6828 Sideroad 3 West, Arthur
Laurie Morgan

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variances requested would allow for the construction of an accessory structure prior to the establishment of the main residential use on a vacant lot. The proposed use of the accessory building is to eventually become auxiliary to the main residence and this is intended to remain on an interim basis for storage until the main dwelling is built.

We have no concerns with the relief requested, 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.

We would recommend that conditions be applied to address the following:

1. That the accessory structure is used only for personal storage.
2. That the accessory structure cannot be used for business purposes or habitation.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 6, Concession 12 (geographic Township of Arthur), with a civic address of 6828 Sideroad 3 W. The subject land is approximately 2.1ha (5.2 acres). The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the zoning by-law Section 6.1.5 a) to construct an accessory building on a vacant lot before the main residential use is established.



Figure 1

WELLINGTON COUNTY OFFICIAL PLAN

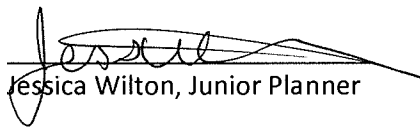
The subject property is designated CORE GREENLANDS and GREENLANDS. The Core Greenlands refers to Hazard Lands and the Greenlands refers to Significant Wooded Area. Section 5.5.4 of the Plan indicates that significant woodlands will be protected from development or site alterations that would negatively impact the woodlands or their ecological functions. Good forestry practices will be encouraged and tree removal shall be subject to the Wellington County Forest Conservation by-law. Furthermore, 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.

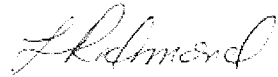
TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Estate Residential (ER) and Natural Environment (NE). The NE zone does not permit residential or accessory uses, therefore the proposed accessory building shall be located in the ER zone. Section 6.1.5 of the by-law indicates that no accessory building or accessory use shall be established on any lot or site until the main building has commenced construction. The applicant is requesting relief to construct the accessory building for storage purposes on the lot until the main residential building is built. Once the main dwelling is built the building will become accessory to the main dwelling and meets the requirements of the by-law.

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,


Jessica Wilton, Junior Planner



Linda Redmond,
Manager of Planning & Environment



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (*township@wellington-north.com*)

February 6, 2018

Township of Wellington North
Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Department

Dear Mr. Jones,

RE: Application for Minor Variance A06/18
6828 Sideroad 3W
Roll Nos.: 234900000911125
Part Lot 6, Concession 12, Parcel 6
Geographic Township of Arthur
Township of Wellington North

(Lovas and Morgan)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed minor variance in accordance with the SVCA's mandate, and the SVCA Environmental Planning and Regulations Policies Manual, Approved May 16, 2017. The purpose and effect of the application is to construct an accessory building on a vacant lot before the main residential use is established. Other variances may be considered where deemed appropriate. SVCA staff conducted a site inspection of the property on February 6, 2018. SVCA staff offer the following comments.

Natural Hazard

In the opinion of SVCA staff, virtually the entirety of the property is designated Core Greenlands and Greenlands in the Wellington County Official Plan (OP) Schedule A6 Wellington North. The majority of this area is also zoned Natural Environment Zone (NE) in the Township of Wellington North Zoning By-law 66-01, Schedule 'A' Map 1. In general no new buildings or structures are permitted in the Core Greenlands or Greenlands designation or in the NE zone. In the opinion of SVCA staff, the location of the proposed accessory building and proposed dwelling do not appear to be located in the NE zone, however, the location of the proposed sewage disposal system appears to be encroaching into the NE zone. In the opinion of SVCA staff the NE zone could be revised as part of the next update to the Comprehensive Zoning By-law to better reflect existing site conditions in the southwestern portion of the property, specifically in the area of the proposed sewage disposal system. Therefore, please find enclosed SVCA mapping, dated February 6, 2018, showing the SVCA staff recommended revision to the NE zone, shown on the SVCA map as SVCA Hazardous Lands.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Natural Heritage

In the opinion of SVCA staff, the natural heritage features and areas affecting the property include, but may not be limited to, fish habitat, significant woodlands, potentially significant wildlife habitat, and potentially the significant habitat of endangered species or threatened species.

Fish Habitat

Bell's Creek (Bethel Creek) flows through the property, and is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological function.

Significant Woodlands

Significant woodlands have been included in the Core Greenlands and Greenlands designation and are shown on Schedule A6-Wellington North of the Wellington County OP. Virtually the entirety of the property consists of woodlands which has been verified through the SVCA staff site inspection. Section 5.5.4 of the Wellington County OP states, in part, that significant woodlands will be protected from development or site alteration which would negatively impact the woodlands or their ecological functions.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. Section 5.5.1 of the Wellington County OP states, in part, that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions.

Earth Science Area of Natural and Scientific Interest (ANSI)

Riverstown Esker Twins Earth Science ANSI is located on lands adjacent to the south of the property and is shown on Schedule A6-Wellington North of the Wellington County OP.

Significant Habitat of Endangered or Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species or threatened species may be located on or adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy.

Environmental Impact Study (EIS)

Based on what was observed on site by SVCA staff, significant tree clearing will be required to establish a building envelope for the proposed detached accessory building, dwelling and sewage disposal system. The tree clearing could have a negative impact on the significant natural heritage features, therefore in accordance with Section 5.6.1 of the Wellington County OP, it is the opinion of SVCA staff that an EIS should be undertaken to address the natural heritage features and areas and their adjacent lands to support this proposal. SVCA staff would not be opposed to the preparation of a scoped EIS.

SVCA Regulation

The majority of the property is within the Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O., Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

"Development" and Alteration

Subsection 28(25) of the *Conservation Authorities Act* defines "development" as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine the Approximate Screening Area, associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed within the Approximate Screening Area associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

Based on plans attached to the proposed minor variance, the location of the proposed accessory building will not require permission from the SVCA. However, the location of the proposed dwelling, and the location of the

Township of Wellington North
A06/18 (Lovas and Morgan)
February 6, 2018
Page 4 of 4

proposed sewage disposal system will require permission from the SVCA. Based on the plans attached to the proposed minor variance, a permit from the SVCA can likely be granted for the proposed dwelling and the proposed sewage disposal system, subject to conditions.

The SVCA would appreciate receiving notice of the decision to the above referenced planning application.

We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

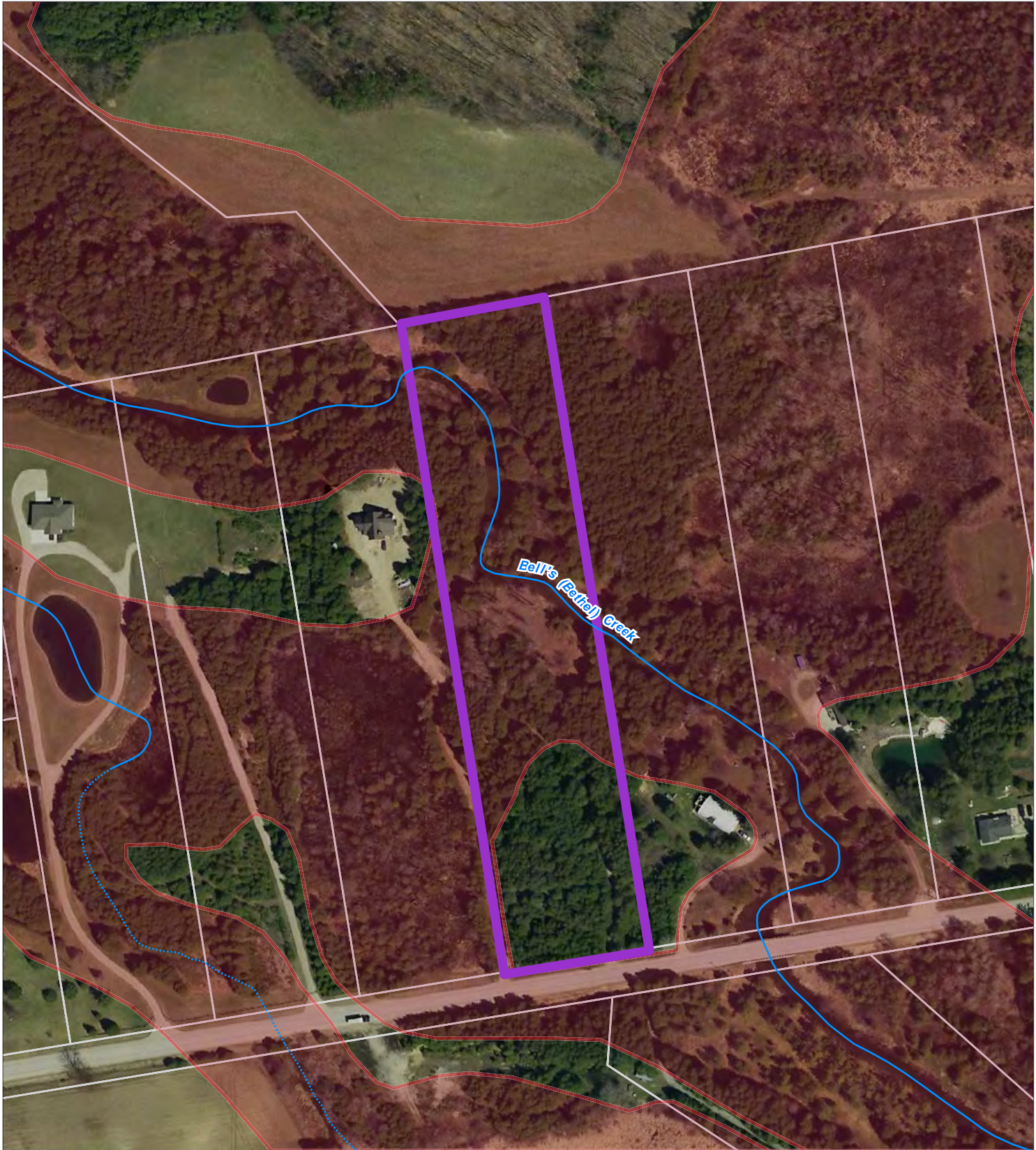
Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO/
Enclosure

cc: Laurie Morgan and Anna Lovas, owners (via email)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, Authority Member, SVCA (via email)







The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

February 6, 2018

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This mapping contains products of the South Western Ontario Orthophotography Project 2015 (SWOOP2015). These images were taken in 2018 at 20cm resolution by Fugro GeoServices. They are the property of Saugeen Valley Conservation Authority ©2018.

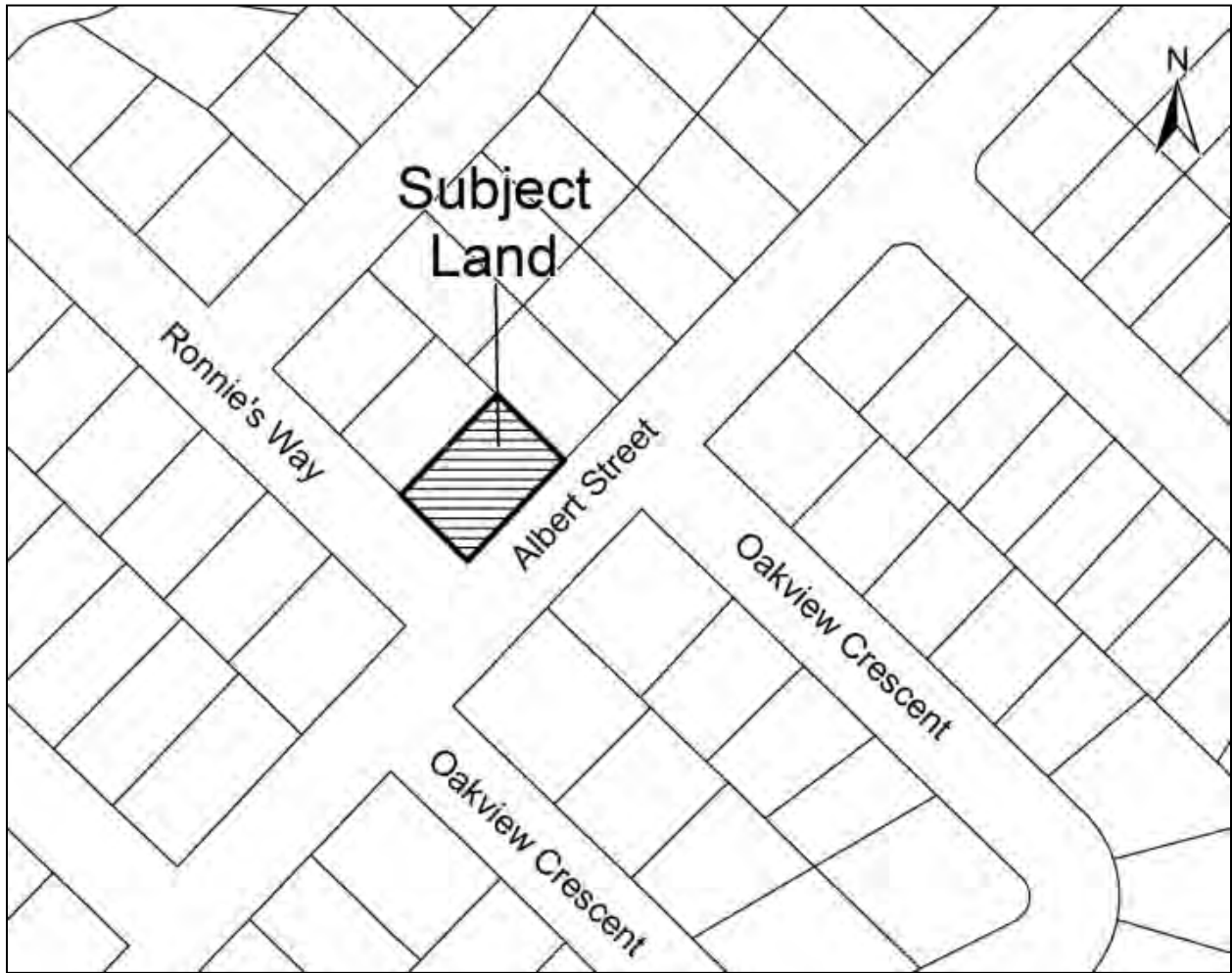
N

 UTM Zone 17N, NAD 83

Legend	
	SVCA Hazardous Lands
	Watercourse
	Approximate Subject Property

MV A06/18
 6828 Sideroad 3W
 Lot 6, Con 12, Part 6
 Arthur Twp.
 Wellington North
 Roll No.:
 23490000911125



1:2500



A07-18 – W. Schwindt & Sons Building Contractors Ltd.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 6, 2018

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A07/18**
Part Park Lot 3, Registered Plan 60R-2864 Part 1
625 Albert Street, Mount Forest
W. Schwindt & Sons Building Ltd.

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion The variance requested would provide relief from the minimum front yard setback and minimum rear yard setback to construct the main dwelling on the lot. The applicant is proposing to construct a new single family dwelling with a front yard setback of 6.1m (20 ft) and a rear yard setback of 4.88 m (16 ft), where the required for both setback is 7.6m (25 ft).

We have no concerns with the relief requested, 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 Part Park Lot 3, Registered Plan 60R-2864 Part 1 (geographic Township of Mount Forest), with a civic address of 625 Albert Street. The subject land is approximately 650m² (0.16 ac). The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the minimum front yard and minimum rear yard setback to construct the main dwelling on the lot.



Figure 1

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.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

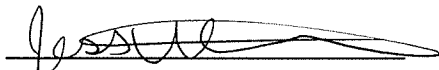
The subject property is zoned Residential (R1B), which permits one single detached residential dwelling unit. The applicant is proposing to construct a one story single detached dwelling on the vacant parcel.

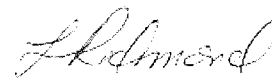
The following relief is requested:

Single Detached Dwelling	Required	Proposed	Difference
Minimum Front Yard Setback (Section 10.1.3)	7.6m (24.9 ft)	6.1m (20 ft)	1.5m (4.9 ft)
Minimum Rear Yard Setback (Section)	7.6m (24.9ft)	4.88 m (16 ft.)	2.72 m (8.9 ft.)

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,


Jessica Wilton, Junior Planner



Linda Redmond,
Manager of Planning & Environment



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (*township@wellington-north.com*)

February 2, 2018

Township of Wellington North
Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Department

Dear Mr. Jones,

RE: Application for Minor Variance A07/18
625 Albert St.
Roll No.: 234900000307486
Part Park Lot 3, Part 1 Plan 60R2864
Geographic Town of Mount Forest
Township of Wellington North

(W. Schwindt & Sons Building Ltd.)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed minor variance in accordance with the SVCA's mandate, and the SVCA Environmental Planning and Regulations Policies Manual, Approved May 16, 2017. The purpose and effect of the application is to provide relief from the minimum front yard and minimum rear yard setback to construct the main dwelling on the lot. Other variances may be considered where deemed appropriate. The proposed minor variance is acceptable to SVCA staff, and the following comments are offered.

Natural Hazard

In the opinion of SVCA staff, the property is not affected by any natural hazards, and is not zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law 66-01.

Natural Heritage

In the opinion of SVCA staff, the natural heritage features and areas affecting the property include potentially significant wildlife habitat, and potentially the significant habitat of endangered or threatened species.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Township of Wellington North
A07/18 (W. Schwindt & Sons Building Ltd.)
February 2, 2018
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Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. Section 5.5.1 of the Wellington County OP states, in part, that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. However, in the opinion of SVCA staff, an Environmental Impact Study (EIS) is not necessary, as SVCA staff does not anticipate any negative impacts to significant wildlife habitat resulting from this proposal.

Significant Habitat of Endangered or Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species or threatened species may be located on or adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy.

SVCA Regulation

The property is not subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). A Permit from the SVCA will not be required for the construction of dwelling as shown on the sketch to the application for minor variance.

Conclusion

The proposed minor variance is acceptable to SVCA staff. The SVCA would appreciate receiving notice of the decision to the above referenced planning application.

We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: W. Schwindt & Sons Building Ltd., owner (via email)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, Authority Member, SVCA (via email)