

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, MARCH 9, 2015
A02/15 and A03/15**

APPLICATION A02/15

Owners/Applicant: Richard Bartling

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Park Lot 5, Crown Survey, Geographic Arthur Village, with a civic address of 7890 Wellington Road 109. The subject land is approximately 2.42 ha (5.98 acres).

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Section 6.1.5 which prohibits the construction of accessory buildings on any lot until the main building has commenced construction. Further variances may be required to address the location of the structure within the Natural Environment. The applicant has constructed a 28.4 sq.m (306 sq.ft) accessory structure on a vacant lot.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on February 13, 2015 as well as posted on the property.

Township Planner – Linda Redmond reviewed the County Comments

Planning Opinion: The variance requested is to permit a small utility shed (306 sq.ft.) within a Natural Environment (NE) area prior to the establishment of a main use (residence).

The Planning Department had no concerns with the relief requested at this time. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

Wellington County Official Plan: The subject property is designated PRIME AGRICULTURAL and CORE GREENLAND. 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 Future Development (FD) and Natural Environment (NE). The owners have installed a 28.4 sq.m (306 sq.ft) utility shed on the NE portion of the property. This type of structure would be considered an accessory building and the current NE zoning only permits this use within the following context:

- Minor buildings/structures accessory to an existing residential dwelling, permitted as of the date of passing of this By-law.

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In this instance there are no other buildings or uses on these lands.

The GRCA has reviewed the application and have no concerns with the location of the structure. The owner has applied for the required GRCA permit.

I trust that these comments will be of assistance to the Committee in their consideration of this matter.

CORRESPONDENCE/COMMENTS RECEIVED

Andrew Herreman, Resource Planner, GRCA

- No objection.

Letter from proponent

- Neighbours had no objections

QUESTIONS/COMMENTS

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

Dave Stack, trail committee member, advised that the trail committee is in support of the application

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

No one present.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.

- Committee -- Comments and Questions

No comments or questions

RESOLUTION NUMBER CoA 2015-006

Moved by: McCabe

Seconded by: Goetz

THAT the minor variance applied for in Application A02/15 be authorized.

CARRIED

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APPLICATION A03/15

Owners/Applicant: Alaudin and Almas Ramji

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lots 5 & 6, Concession 7, geographic Arthur Township, with a civic address of 9450 Concession 6 North. The subject land is approximately 60.7 ha (150 acres) and is occupied by a farm operation.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicants are proposing to construct an addition onto their existing poultry barn and cannot meet the required distances from the nearest neighbours dwelling and the road allowance. This application will also consider any other deficiencies that may be present.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on February 13, 2015 as well as posted on the property.

Township Planner – Linda Redmond reviewed the County Comments

Planning Comments: A minor variance is being requested for relief from minimum distance separation II (MDS II) for a proposed barn expansion and the neighbouring farm residence to the west. The location of the barn addition seems to be logical and makes sense given the layout of existing barns.

We have no concerns with the relief requested at this time. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

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 46 of the MDS Implementation Guidelines states 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 GREENLAND. 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.

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Wellington North Zoning By-law The subject property is zoned Agricultural (A) and Natural Environment (NE). The applicants are proposing to construct an addition to the existing egg laying poultry barn. The following variance is required:

- An MDS II setback to the nearest neighbor's dwelling (west) of 103.6 m (340 ft.), whereas 168m (552 ft.) is required.

CORRESPONDENCE/COMMENTS RECEIVED

Valerie Lamont, Environmental Planning Technician, SVCA

- No objection.

QUESTIONS/COMMENTS

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

Brian Padfield, applicant's agent, filed application in consultation with Darren Jones, Building Inspector. They understand that their neighbour, Mr. Martin, has concerns regarding ventilation. They are prepared to involve him in the design process.

Stewart Martin, neighbour, asked if he would need a minor variance, because of this minor variance, to add a granny flat in the future. He also asked if a wind break would be put in place on the north side. Ms Redmond explained that if it was an addition it would not need a zone amendment or minor variance. If it was a garden suite it would require a zoning amendment.

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

No one present.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.

Mayor Lennox asked about the existing manure storage. Mr. Ramji stated that new manure storage would be built further away from the boundary line. A wind break will be planted.

RESOLUTION NUMBER CoA 2015-007

Moved by: Goetz

Seconded by: Yake

THAT the minor variance applied for in Application A03/15 be authorized.

CARRIED

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ADJOURNMENT

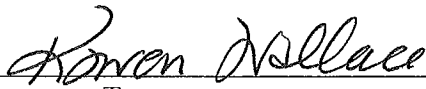
RESOLUTION NUMBER CoA 2015-008

Moved by: Goetz

Seconded by: Yake

THAT the Committee of Adjustment meeting of March 9, 2015 be adjourned at 7:17 p.m.

CARRIED



Secretary Treasurer



Chairman