



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Committee of Adjustment

Monday, March 10, 2014 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 3

| AGENDA ITEM | PAGE NO. |
|--|----------|
| <p>Chairman</p> <ol style="list-style-type: none">1. Officially open the public meeting.2. Declaration of Pecuniary Interest and General Nature Thereof.3. Minutes, A7/13 (attached) | 1 |
| <p><u>APPLICATION A01/14</u></p> | |
| <p>Owners/Applicant: Mervin and Rita Martin</p> | |
| <p>THE LOCATION OF THE SUBJECT PROPERTY is described as South Part Lot 8, Concession 18, geographic Arthur Township with a civic address of 7296 Sideroad 7 West. The subject land is approximately 8.08 ha (20 acre) in size and is zoned Agricultural and Natural Environment. The parcel is shown on the location map attached.</p> | 6 |
| <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum permitted lot coverage for a barn structure on a 20 acre parcel in an agricultural zone. Relief from MDS requirements may also be considered. The applicants are proposing to construct a 3600 ft² barn. Additional relief for minimum setback requirements may also be considered.</p> | |
| <ol style="list-style-type: none">4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on February 24, 2014 as well as posted on the property. | |
| <ol style="list-style-type: none">5. Application for a Minor Variance | 7 |

| AGENDA ITEM | PAGE NO. |
|--|-----------------|
| <p>6. Township Planner – Jameson Pickard will review the County comments (attached).</p> <p>7. Correspondence/Comments received:</p> <p style="padding-left: 40px;">- None</p> <p>8. 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>Those wishing to be notified of decision please leave name and address with secretary-treasurer.</p> <p>Committee:</p> <p style="padding-left: 40px;">- Comments and questions</p> | <p>13</p> |

| AGENDA ITEM | PAGE NO. |
|--|----------|
| <p><u>APPLICATION A02/14</u></p> | |
| <p>Owners/Applicant: Terrence and Terry Martin</p> | |
| <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Plan Mount Forest, Part Pk Lot 9, S/S Waterloo St. RP 61-11941 Parts 1 to 4. The subject land is approximately 1166.3 sq.m (12,554 sq.ft) in size and is zoned R2 Residential Zone. The parcel is shown on the location map attached.</p> | 15 |
| <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the minimum side yards and rear yard setback requirements. The minor variance is being sought to maximize the potential use of the proposed street townhouse residential development. Additional relief for minimum setback requirements may also be considered.</p> | |
| <p>4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on February 24, 2014 as well as posted on the property.</p> | |
| <p>5. Application for a Minor Variance</p> | 16 |
| <p>6. Township Planner – Jameson Pickard will review the County comments (attached).</p> | 21 |
| <p>7. Correspondence/Comments received:</p> <ul style="list-style-type: none"> - Candice Hamm, Environmental Planning Coordinator, SVCA - The proposal is acceptable to the SVCA. | 23 |
| <p>8. 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>Those wishing to be notified of decision please leave name and address with secretary-treasurer.</p> | |
| <p>Committee:</p> <ul style="list-style-type: none"> - Comments and questions | |
| <p>9. Adjournment</p> | |

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

The Committee of Adjustment met on Monday, December 2, 2013 at the Kenilworth Municipal Office, at 7:00 p.m.

Members Present:

**Chairman: Andy Lennox
Sherry Burke
Mark Goetz
Dan Yake**

Absent:

Raymond Tout

Also Present:

**Secretary-Treasurer, Catherine More
Executive Assistant, Cathy Conrad
Junior Planner, Jameson Pickard**

1. The Chairman called the meeting to order.
2. Disclosure of Pecuniary Interest and General Nature Thereof

None Reported
3. Minutes

**Moved by: Yake
Seconded by: Goetz**

THAT the Committee of Adjustment meeting minutes of November 18, 2013 – A3/13 and A6/13 be adopted as presented.

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A7/13 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

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APPLICATION A7/13

Owners/Applicant: Harold and Bertha Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as South Part Lot 7, Concession 11, with a civic address of 9372 Concession 11 (Mt. Forest). The subject land is approximately 8.9 ha (22.21 acre) in size and is zoned Agricultural.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum permitted lot coverage for accessory structures in an agricultural zone. The applicants are proposing to construct a second shed with a floor area of 2,880 ft². The applicant will be utilizing the shed for storage of machinery and the housing of a horse. Additional relief for minimum setback requirements may also be considered.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on November 20, 2013 as well as posted on the property.
5. Jameson Pickard, Junior Planner, reviewed his comments dated November 28, 2013.

The variance requested would provide relief for a total lot coverage for accessory and hobby barn structures to be 505.3m² (5440 ft²), whereas the by-law permits a maximum lot coverage of 288m² (3100 ft²) for accessory structures and 213.8m² (2300 ft²) for a hobby barn, on a 8.9ha (22.21 ac) Agricultural parcel. The applicant is proposing to construct a second 237.8m² (2,560 ft²) shed, which will be used as a combined storage shed and horse barn. Given the multiple uses proposed for this structure we would request that the hobby barn portion of the structure be located in the northern half of the building so as to meet the required 22.8 m setback for a hobby barn from any lot line and to avoid further relief from the by-law.

We are 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. Approval of this variance should be conditional that the proposed use of the new shed will be for personal storage and the housing of a horse only and not for commercial purposes.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

Page Three

Under the 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.

As shown in the Wellington North Zoning By-law the subject lands are approximately 8.9 ha (22.21 ac) and are zoned Agricultural (A). The applicants are proposing to construct a second 237.8m² (2,560ft²) shed on the property, which will be used to house machinery and a horse. Section 6.4.1 ii) permits a maximum total lot coverage of 288m² (3100 ft²) for accessory structures on a lot this size. Additionally section 8.3.1 permits a 213.8m² (2300 ft²) hobby barn on a lot this size. The total combined lot coverage of the proposed shed and the existing shed/hobby barn would be 505.3m² (5,440 ft²).

Further, the applicant is proposing to construct the new 237.8 m² (2,560 ft²) shed approximately 13 m away from the property line. The by-law requires a hobby barn to have a setback of 22.8m from a property line. Staff would recommend that the hobby barn portion of the structure be located in the northern half of the structure. This would avoid the need for relief from the by-law on this matter. As such, the following relief would be required:

- 1) That a total combined lot coverage for accessory buildings and hobby barn be 505.3 m² (5,440 ft²), whereas the by-law allows a total combined lot coverage for accessory buildings and hobby barns to be 501.7 m² (5400 ft²).

6. Correspondence/Comments received:

Jennifer Prenger, Environmental Planning Technician
Saugeen Valley Conservation Authority
- Application is acceptable

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

Page Four

7. Questions/Comments

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

- None

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

- None

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

Committee – Comments and Questions

- None

Moved by: Yake

Seconded by: Goetz

THAT the minor variance applied for in Application A7/13 be authorized with condition that the hobby barn portion of the structure be located in the northern half of the building so as to meet the required 22.8 m setback for a hobby barn from any lot line and to avoid further relief from the by-law.

Resolution No. 2

Carried

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

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8. Adjournment (7:05 p.m.)

Moved by: Yake

Seconded by: Goetz

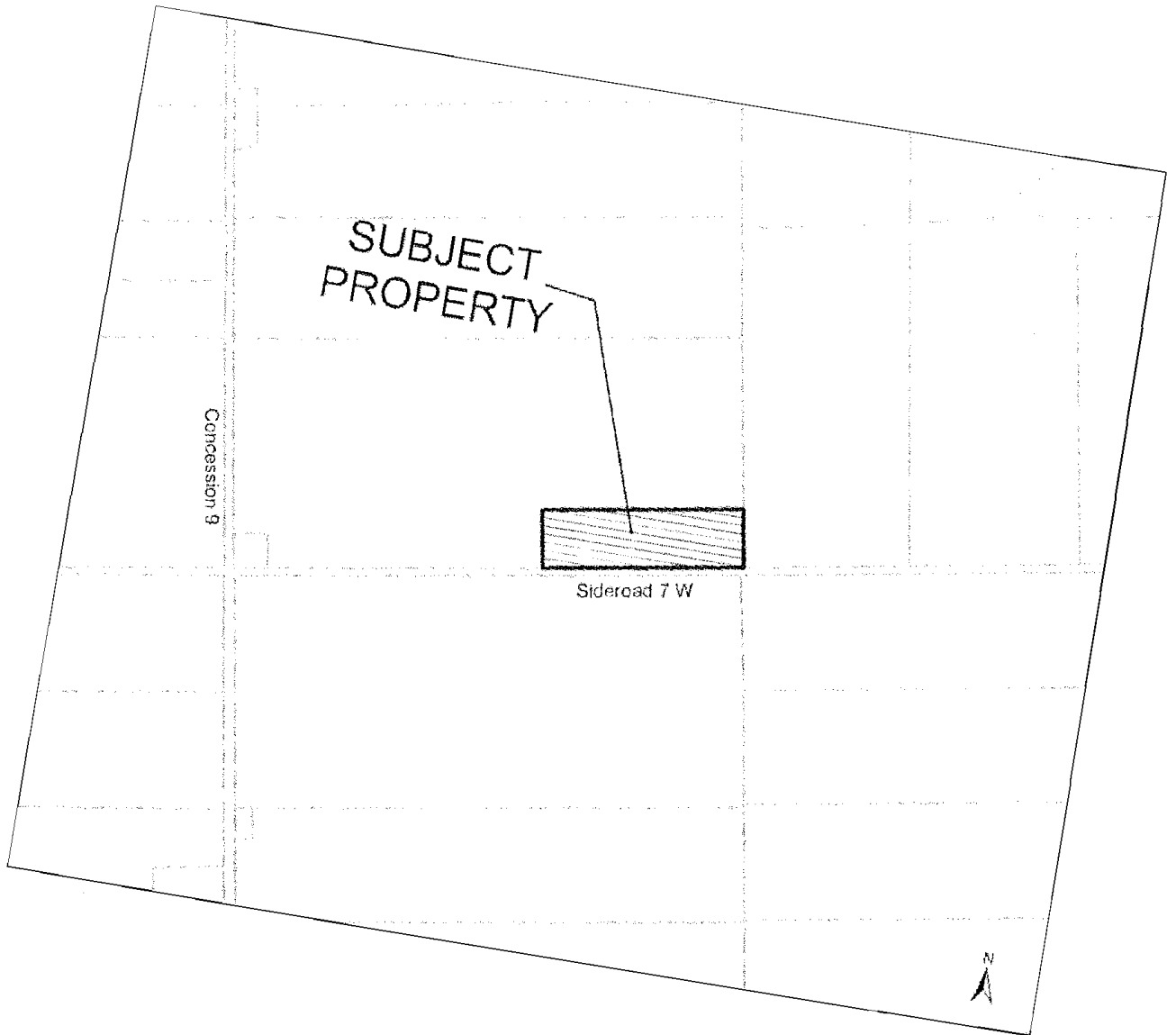
That the Committee of Adjustment meeting of December 2, 2013 be adjourned.

Resolution No. 3

Carried

Secretary Treasurer

Chairman



SUBJECT
PROPERTY

Concession 9

Sideroad 7 W





TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: January 27, 2014

File Number: A 01114

Roll # 23-49-000-010-06350-0000

Date Application Filed: _____

Application Fee Received: \$ 750.00

A. GENERAL INFORMATION

1.* APPLICANT INFORMATION

a)* Registered Owner's Name(s): Mervin W Martin

Address: 7296 SORD 7 W ROAD MT. FOREST

Phone: Home (519) 323-1110 Work () Fax _____

Email: _____

Please note: AUTHORIZATION IS REQUIRED IF THE APPLICANT IS NOT THE OWNER (See Section G)

b)* Applicant (Agent) Name(s): _____

Address: _____

Phone: Home () Work () Fax ()

Email: _____

c)* Name, Address, Phone No. of all persons having any mortgage charge or encumbrance on the property: _____

d) Send Correspondence To: Owner [] Agent [] Other []

2.* PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY

Measurements are in: Metric [] Imperial [] units

Municipal Address: 7296 Sideroad 7 W

Concession: 8 Lot: 18 Registered Plan No.: _____

Area: 87000^{ft} Depth: 500' Frontage (Width): 1740' Width of Road Allowance (if known): _____

3a).* WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

- i) Provincial Highway [] ii) Seasonally maintained municipal road [] iii) Continually maintained municipal road [] iv) Other public road [] v) Right-of-way [] vi) Water access []

3b).* IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD.

4.* WHAT IS THE CURRENT OFFICIAL PLAN AND ZONING STATUS?

Official Plan Designation: Prime Agriculture

Zoning: Agricultural / NE

B. EXISTING AND PROPOSED SERVICES

5.* INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

| | Municipal Water | Private or Communal Water | Private Well | Other Water Supply | Municipal Sewers | Communal Sewers | Private Septic | Other Sewage Disposal |
|---------------|-----------------|---------------------------|---|--------------------|------------------|-----------------|---|-----------------------|
| a) Existing * | [] | [] | [<input checked="" type="checkbox"/>] | [] | [] | [] | [<input checked="" type="checkbox"/>] | [] |
| b) Proposed | [] | [] | [] | [] | [] | [] | [] | [] |

6. IS STORM DRAINAGE PROVIDED BY: Sewers [] Ditches [] Swales [] Other means []

7. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

SIDERoad SEVEN W

C. REASON FOR APPLICATION

8.* WHAT IS THE NATURE AND THE EXTENT OF THE RELIEF THAT IS BEING APPLIED FOR?
(Please specifically indicate on sketch)

To build a barn bigger than 2098 square feet permitted
To build a 3000 sq. ft. goat barn.

9.* WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW?
(Please specifically indicate on sketch)

I want to be able to farm the land I have
and have enough livestock to feed my crop.

D. EXISTING SUBJECT AND ABUTTING PROPERTY LAND USES, BUILDINGS & THEIR LOCATIONS

10.* WHAT IS THE "EXISTING" USE OF:

a) THE SUBJECT PROPERTY? Small farm.

b) THE ABUTTING PROPERTIES? Two are farms + 1 residential

11.* PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS ON OR PROPOSED FOR THE SUBJECT LAND: Measurements are in Metric [] Imperial [] units

| | <u>Existing</u> | <u>Proposed</u> | | <u>Existing</u> | <u>Proposed</u> |
|---|-----------------|-------------------------------|-------------------------|-----------------|----------------------|
| a) Type of Building(s) | | <u>boat barn</u> | b) Main Building Height | | <u>16'</u> |
| c) % Lot Coverage | | | d) # of Parking Spaces | | |
| e) # of Loading Space(s) | | | f) Number of Floors | | <u>2</u> |
| g) Total Floor Area (exclude basement) | | <u>9600 sq. feet 7200</u> | h) Ground Floor Area | | <u>3600 sq. feet</u> |

12.* WHAT IS THE LOCATION OF ALL BUILDINGS EXISTING AND PROPOSED FOR THE SUBJECT PROPERTY (Specify distances from front, rear and side lot lines)
Measurements are in: Metric [] Imperial [] units

| | <u>Existing</u> | <u>Proposed</u> | | <u>Existing</u> | <u>Proposed</u> |
|---------------|-----------------|-----------------|---------------|-----------------|-----------------|
| a) Front Yard | <u>110'</u> | <u>130'</u> | b) Side Yards | <u>200'</u> | <u>190'</u> |
| c) Rear Yard | <u>350'</u> | <u>285'</u> | | | |

13.* DATE OF ACQUISITION OF SUBJECT PROPERTY: March 14 2008

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: 1975-80

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?
33-38 years

15.* HAS THE OWNER PREVIOUSLY APPLIED FOR RELIEF IN RESPECT OF THE SUBJECT PROPERTY
YES [] NO []
IF THE ANSWER IS YES, PLEASE INDICATE THE FILE NUMBER AND DESCRIBE BRIEFLY:

F. OTHER RELATED PLANNING APPLICATIONS

16.* HAS THE APPLICANT/ OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING ON THE SUBJECT LAND?

| | | |
|-------------------------|---------|--------|
| Official Plan Amendment | Yes [] | No [] |
| Zoning By-law Amendment | Yes [] | No [] |
| Plan of Subdivision | Yes [] | No [] |
| Consent [Severance] | Yes [] | No [] |

17.* IF THE ANSWER TO QUESTION 15 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. of Application: _____

Purpose of Application: _____

Status of Application: _____

G. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:

(If affidavit (H) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below must be completed)

I (we) _____ of the _____ of _____,

County/Region of _____ do hereby authorize Merwin Martin to act as my agent in this application.

Signature of Owner(s)

Date

H.* AFFIDAVIT: (This affidavit must be signed in the presence of a Commissioner)

I (we) Merwin Martin of the Township of Wellington North County/Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the Township of Wellington North in the County of Wellington this 27th day of January, 2014.

Merwin Martin

Signature of Owner or Authorized Solicitor or Authorized Agent

Jan 27 2014

Date

[Signature]

Signature of Commissioner

Jan. 27 2014

Date

APPLICATION AND FEE OF \$750.00 RECEIVED BY THE MUNICIPALITY:

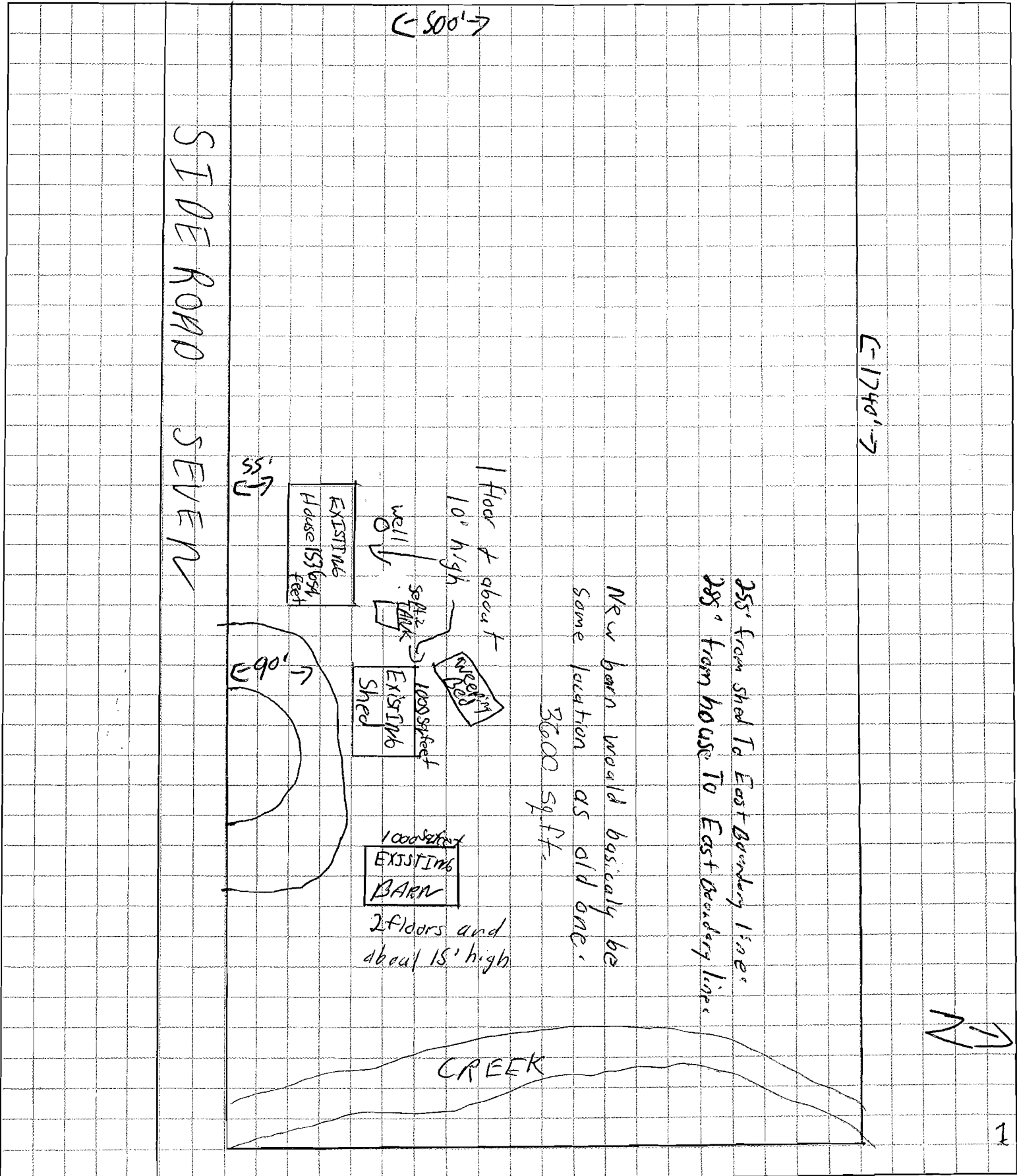
[Signature]

Signature of Municipal Employee

January 27/14

Date

**MICHAEL J. GIVENS
TREASURER
OF THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH
COMMISSIONER FOR TAKING AFFIDAVITS**





County of Wellington

FARM DATA SHEET

Minimum Distance Separation I (MDSI)

NOTE TO THE FACILITY OWNER:

Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. _____
Applicant _____

Owner of Livestock Facility Mervin W Martin
 Telephone (519) 323-1110 Civic Address 2296 SORD 7 West
 Municipality Wellington North Lot 18 Concession 8 DIV _____
 Tillable Hectares/Acres on the lot where the livestock facility is located _____ hectares 19 acres
 Closest distance from the livestock facility to the new lot and/or land use _____ meters _____ feet
 Closest distance from the manure storage system to the new lot and/or land use _____ meters _____ feet
 Signature of Livestock Facility Owner Mervin W Martin Date Jan 24 2014

Permanent Manure or Material Storage Types

Solid Manure: 18% dry matter, or more
 Liquid Manure: Less than 18% dry matter
 Digestate: Less than 18% dry matter

- 0 No storage required (manure/material stored for less than 14 days)
- V1 Solid, inside, bedded pack
- V2 Solid, outside, covered
- V3 Solid, outside, no cover, greater than or equal 30% dry matter
- V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
- L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
- V5 Liquid, inside, underneath slatted floor
- V6 Liquid, outside, with a permanent, tight fitting cover
- V7 Liquid, (digestate), outside, no cover
- L2 Liquid, outside, with a permanent floating cover
- M1 Liquid, outside, no cover, straight-walled storage
- M2 Liquid, outside, roof, but with open sides
- H1 Liquid, outside, no cover, sloped-sided storage

| Animal Type or Material | Description | Housing Capacity* (maximum) | Manure Storage Type* (select from list above) |
|---|---|-----------------------------|---|
| Beef Cattle | Cows, including calves to weaning (all breeds) | | |
| | Feeders (7 - 16 months) | | |
| | Backgrounders (7 - 12.5 months) | | |
| | Shortkeepers (12.5 - 17.5 months) | | |
| Dairy Cattle | Milking-age cows (dry or milking) | | |
| | Large-framed; 545 kg - 636 kg (for example - Holsteins) | | |
| | Medium-framed; 455 kg - 545 kg (for example - Guernseys) | | |
| | Small-framed; 364 kg - 455 kg (for example - Jerseys) | | |
| | Heifers (5 months to freshening) | | |
| | Large-framed; 182 kg - 545 kg (for example - Holsteins) | | |
| | Medium-framed; 148 kg - 455 kg (for example - Guernseys) | | |
| | Small-framed; 125 kg - 364 kg (for example - Jerseys) | | |
| | Calves (0 - 5 months) | | |
| | Large-framed; 45 kg - 182 kg (for example - Holsteins) | | |
| Medium-framed; 39 kg - 148 kg (for example - Guernseys) | | | |
| Small-framed; 30 kg - 125 kg (for example - Jerseys) | | | |
| Swine | Sows with litter, dry sows/boars; Segregated Early Weaning (SEW) | | |
| | Sows with litter, dry sows or boars (non-SEW) | | |
| | Breeder gilts (entire barn designed specifically for this purpose) | | |
| | Weaners (7 kg - 27 kg) | | |
| Horses | Feeders (27 kg - 105 kg) | | |
| | Large-framed, mature; >681 kg (including unweaned offspring) | | |
| Sheep | Medium-framed, mature; 227 kg - 680 kg (including unweaned offspring) | | |
| | Small-framed, mature; <227 kg (including unweaned offspring) | | |
| | Ewes & rams (for meat lambs; includes unweaned offspring & replacements) | | |
| | Ewes & rams (dairy operation; includes unweaned offspring & replacements) | | |
| | Lambs (dairy or feeder lambs) | | |

| Animal Type or Material | Description | Housing Capacity* | Manure Storage Type* (select from list above) |
|--|--|-------------------|---|
| Goats | Does & bucks (for meat kids; includes unweaned offspring & replacements) | <u>240</u> | <u>V1</u> |
| | Does & bucks (for dairy; includes unweaned offspring & replacements) | | |
| | Kids (dairy or feeder kids) | | |
| Chickens | Layer hens (for eating eggs; after transfer from pullet barn) | | |
| | Layer pullets (day olds until transferred into layer barn) | | |
| | Broiler breeder growers (males/ females transferred out to layer barn) | | |
| | Broiler breeder layers (males/ females transferred in from grower barn) | | |
| | Broilers on an 8 week cycle | | |
| | Broilers on a 9 week cycle | | |
| | Broilers on a 10 week cycle | | |
| Turkeys | Broilers on a 12 week cycle | | |
| | Broilers on any other cycle, or unknown | | |
| | Turkey pullets (day old until transferred to layer turkey barn) | | |
| | Turkey breeder layers (males/ females transferred in from grower barn) | | |
| | Breeder toms | | |
| Veal | Broilers (day olds to 6.2 kg) | | |
| | Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical) | | |
| | Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical) | | |
| | Turkeys at any other weights, or unknown | | |
| Other | Milk-fed | | |
| | Grain-fed | | |
| Manure imported to a lot not generating manure | Maximum capacity of permanent storages at any time: solid or liquid capacity | | |
| Anaerobic Digester | Maximum capacity of permanent storages at any time: solid or liquid capacity | | |

*see terms defined on reverse side of page



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL. (519) 837-2600
FAX (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

March 4th, 2014

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 A01/14**
South Part lot 8, Concession 18
7296 Sideroad 7 W,
Mervin Martin

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion:

The applicant is proposing to construct a new barn to house 240 goats. The existing 1000 ft² barn is to be removed. The relief requested is from the maximum lot coverage requirements under the hobby barn provisions of the by-law. Staff feels that the structure proposed would not constitute a hobby barn, but rather a livestock facility which should comply with the siting requirements outlined in section 8.2 of the By-law.

The variance should provide relief to allow for the construction of a livestock facility on a lot that is 8.08 ha (20 ac) in size, whereas the by-law requires a lot be 10 ha (25 ac) in size before livestock facilities are permitted. We note that the sketch does not include any setback dimensions from the lots lines to the proposed new barn. We would request that the barn maintain a minimum interior and rear yard setback of 18.3 m (60 ft.) so as to comply with the zoning requirements specified in the By-law. Further, we request that the barn have a minimum front yard setback of 25 m (82 ft.) to comply with the MDS 2 siting requirements for a barn from a road allowance.

We are 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.

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.

Wellington North Zoning By-law: The subject lands are approximately 8.08 ha (20 ac) and are zoned Agricultural (A) and Natural Environments (NE). The applicants are proposing to construct a new 334.5 m² (3,600 ft²) barn on the property, which will be used to house approximately 240 goats.

Section 8.2 of the zoning by-law states "*lots legally existing as of the day of passing of this zoning by-law and having a lot area less than 35.0 ha (86 ac) but more than 10.1 ha (25 ac) may be allowed a permitted use including agricultural uses, buildings and structures*". The subject property is currently 20 ac and would not be permitted to have a livestock facility. As such, the following relief would be required:

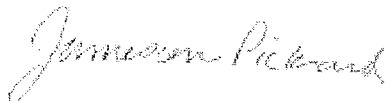
- 1) That a lot 8.08 ha (20 ac) in size be permitted to have a livestock facility with a floor area of 3,600 ft², whereas the by-law requires a minimum lot area of 10 ha (25 ac) before Agricultural buildings can be permitted

We note that the sketch provided with the application did not indicate any setback dimensions from the proposed barn to any of the lot lines. Section 8.2 lays out the siting requirements for new agricultural buildings and requires a minimum interior and rear yard setback of 18.3 m (60 ft.). We request that the new structure maintain a minimum interior and rear yard setback of 18.3 m (60 ft.) to avoid further relief from the by-law.

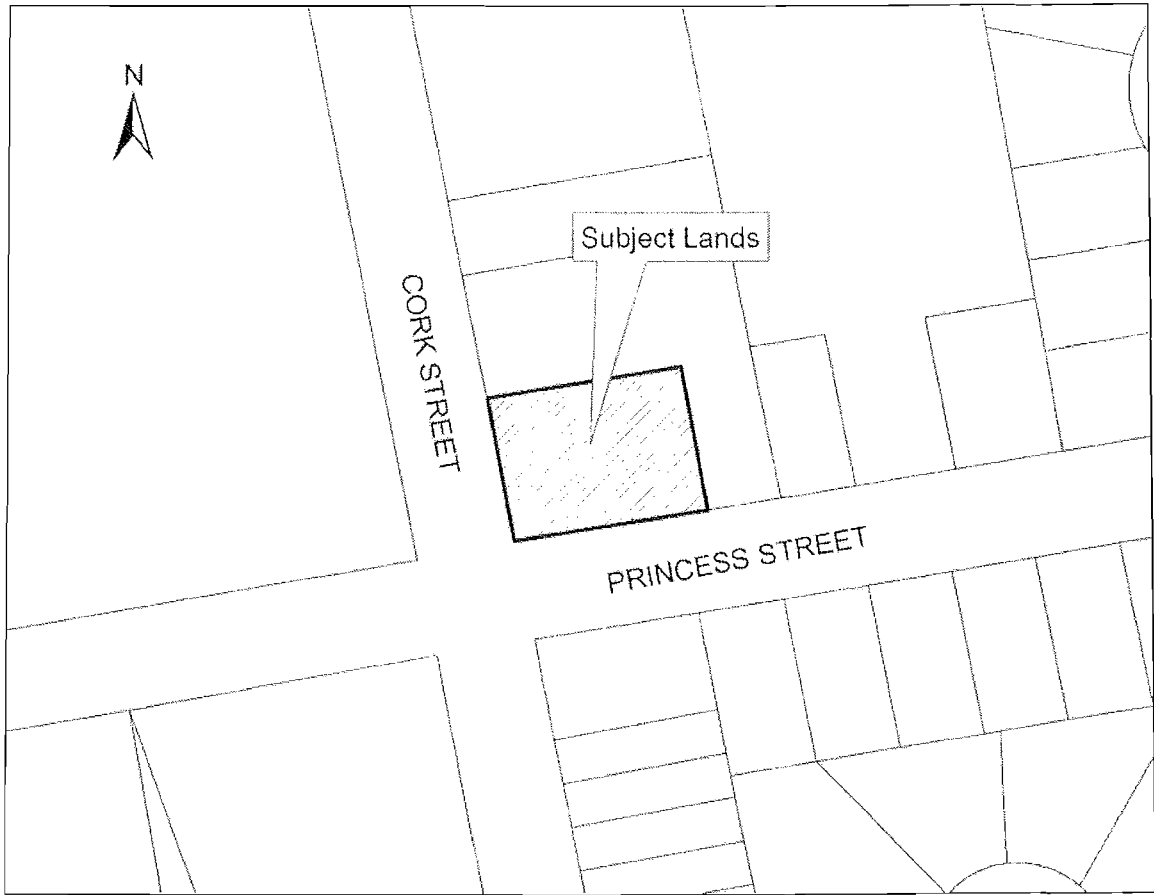
Further, when a new livestock facility is being proposed MDS 2 calculations are done which generate additional setback requirements for the structure. Calculations were completed and a minimum setback for the barn from a road allowance was determined to be 25 m (82 ft.). We request that the structure be set back a minimum of 25 m (82 ft) from the Side road 7 road allowance so as to conform to the required MDS 2 setbacks and avoid further relief from the by-law.

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

Yours truly,



Jameson Pickard, BURPL.
Junior Planner





TOWNSHIP OF WELLINGTON NORTH
APPLICATION FOR A MINOR VARIANCE

Date Received: January 31, 2014

File Number: A 02114

Roll # 23-49-000-006-11150-0000

Date Application Filed: _____

Application Fee Received: \$ 750.00

A. GENERAL INFORMATION

1.* APPLICANT INFORMATION

a)* Registered Owner's Name(s): Terrence R. Martin & Terry L. Martin

Address: 781 Princess St. P.O. Box 506

Phone: Home (519) 323-9070 Work (519) 323-9070 Fax 519-323-9071

Email: _____

Please note: **AUTHORIZATION IS REQUIRED IF THE APPLICANT IS NOT THE OWNER**
 (See Section G)

b)* Applicant (Agent) Name(s): S/A as above

Address: _____

Phone: Home () _____ Work () _____ Fax () _____

Email: _____

c)* Name, Address, Phone No. of all persons having any mortgage charge or encumbrance on the property:

d) Send Correspondence To: Owner Agent [] Other []

2.* PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY

Measurements are in: Metric [] Imperial units

Municipal Address: PT PKLT 9 S/S Waterloo St. PL Town of Mt Forest Part 2+3 on 61R119 Princess St.

Concession: _____ Lot: _____ Registered Plan No.: WC380666 & WC380659

Area: 12,554 sq ft Depth: 98' Frontage (Width): 128.1' Width of Road Allowance (if known): _____

3a).* WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

- i) Provincial Highway [] ii) Seasonally maintained municipal road [] iii) Continually maintained municipal road [X] iv) Other public road [] v) Right-of-way [] vi) Water access []

3b).* IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD.

4.* WHAT IS THE CURRENT OFFICIAL PLAN AND ZONING STATUS?

Official Plan Designation: Residential

Zoning: R2

B. EXISTING AND PROPOSED SERVICES

5.* INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

| | Municipal Water | Private or Communal Water | Private Well | Other Water Supply | Municipal Sewers | Communal Sewers | Private Septic | Other Sewage Disposal |
|-------------|-----------------|---------------------------|--------------|--------------------|------------------|-----------------|----------------|-----------------------|
| a) Existing | [X] | [] | [] | [] | [X] | [] | [] | [] |
| b) Proposed | [] | [] | [] | [] | [] | [] | [] | [] |

6. IS STORM DRAINAGE PROVIDED BY: Sewers [] Ditches [] Swales [] Other means [X] Storm Drain

7. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

Princess St.

C. REASON FOR APPLICATION

8.* WHAT IS THE NATURE AND THE EXTENT OF THE RELIEF THAT IS BEING APPLIED FOR?

(Please specifically indicate on sketch)
Minor Variance of 5' on Exterior Sideyard - proposed 20' Exterior Sideyard
Minor Variance of 4'11" on Interior Sideyard - proposed 5'9" Interior Sideyard

9.* WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW?

(Please specifically indicate on sketch)
Triplex dimensions of 34' x 53' each unit for total 102' x 53'
to maximize the use of the lot

D. EXISTING SUBJECT AND ABUTTING PROPERTY LAND USES, BUILDINGS & THEIR LOCATIONS

10.* WHAT IS THE "EXISTING" USE OF:

a) THE SUBJECT PROPERTY? Empty Lot

b) THE ABUTTING PROPERTIES? Single family home on adjacent property
 + Empty lot abutting at the rear of the property.

11.* PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS ON OR PROPOSED FOR THE SUBJECT LAND: Measurements are in Metric [] Imperial [] units

| | <u>Existing</u> | <u>Proposed</u> | | <u>Existing</u> | <u>Proposed</u> |
|---|---|-----------------|-------------------------|-----------------|-----------------|
| a) Type of Building(s) | <u>Bungalow Triplex</u> | | b) Main Building Height | <u>1</u> | <u>Story</u> |
| c) % Lot Coverage | <u>42%</u> | | d) # of Parking Spaces | | |
| e) # of Loading Space(s) | | | f) Number of Floors | <u>1</u> | |
| g) Total Floor Area (exclude basement) | <u>4380 sq ft</u> <u>(1460 sq ft each)</u> | | h) Ground Floor Area | | |

12.* WHAT IS THE LOCATION OF ALL BUILDINGS EXISTING AND PROPOSED FOR THE SUBJECT PROPERTY (*Specify distances from front, rear and side lot lines*)
 Measurements are in: Metric [] Imperial [] units

| | <u>Existing</u> | <u>Proposed</u> | | <u>Existing</u> | <u>Proposed</u> |
|---------------|-----------------|-----------------|---------------|----------------------|-----------------|
| a) Front Yard | <u>25'</u> | | b) Side Yards | <u>Interior 5'9"</u> | |
| c) Rear Yard | <u>20'</u> | | | <u>Exterior 20'</u> | |

13.* DATE OF ACQUISITION OF SUBJECT PROPERTY: July 15, 1998

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: N/A

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?
Has been vacant land since before our acquisition.

15.* HAS THE OWNER PREVIOUSLY APPLIED FOR RELIEF IN RESPECT OF THE SUBJECT PROPERTY
 YES [] NO []
 IF THE ANSWER IS YES, PLEASE INDICATE THE FILE NUMBER AND DESCRIBE BRIEFLY:

F. OTHER RELATED PLANNING APPLICATIONS

16.* HAS THE APPLICANT/ OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING ON THE SUBJECT LAND?

| | | |
|-------------------------|---|--|
| Official Plan Amendment | Yes [] | No [<input checked="" type="checkbox"/>] |
| Zoning By-law Amendment | Yes [] | No [<input checked="" type="checkbox"/>] |
| Plan of Subdivision | Yes [] | No [<input checked="" type="checkbox"/>] |
| Consent [Severance] | Yes [<input checked="" type="checkbox"/>] | No [] |

17.* IF THE ANSWER TO QUESTION 15 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. of Application: _____

Purpose of Application: _____

Status of Application: _____

G. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:

(If affidavit (H) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below must be completed)

I (we) _____ of the _____ of _____,

County/Region of _____ do hereby authorize _____ to act as my agent in this application.

Signature of Owner(s)

Date

H. * AFFIDAVIT: (This affidavit must be signed in the presence of a Commissioner)

I (we) Terrance & Terry Martin of the town of Mount Forest,
County/Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the Township of Wellington North in the County of

Wellington this 31 day of January, 2014.

+ Terry Martin + Terry Martin
Signature of Owner or Authorized Solicitor or Authorized Agent

Jan 31/2014
Date

Catherine More
Signature of Commissioner

Jan 31/2014
Date

CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

APPLICATION AND FEE OF \$750.00 RECEIVED BY THE MUNICIPALITY:

[Signature]
Signature of Municipal Employee

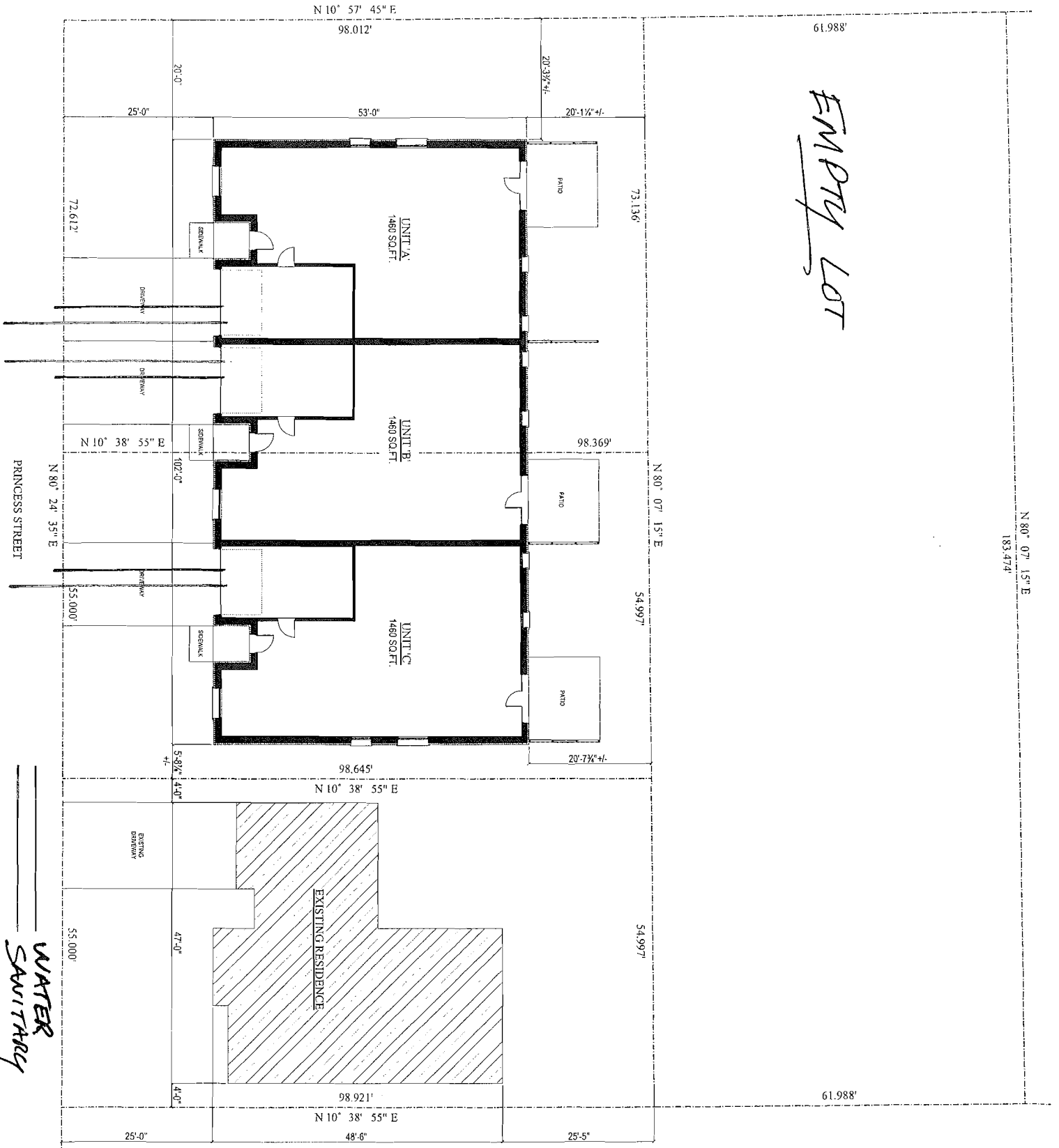
Jan 31/2014
Date

PLOT PLAN

CORK STREET



EMPTY LOT



PRINCESS STREET

*WATER
SANITARY*

N 80° 07' 15" E
183.474'



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

March 4th, 2014

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 A02/14**
Part Park lot 9 S/S Waterloo St.
Part 2 & 3 on RP 61R1194
Terrence & Terry Martin

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion:

The variances requested would provide relief from sections 12.2.6.3, 12.2.6.4 and 12.2.6.7 of the zoning By-law to allow for a reduced exterior yard, interior yard and rear yard setbacks to accommodate a proposed street townhouse residential dwelling.

We are 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.

Wellington County Official Plan: The subject property is designated Residential 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.

Wellington North Zoning By-law: The subject property is currently zoned Residential (R2). The applicants are proposing to construct a 3 unit street town house residential dwelling with a total combined floor area of 4,380 ft² (407 m²). Relief for the interior yard setbacks, exterior yard setbacks and rear yard setbacks will be required. As such, the following relief would be required:

- 1) That a minimum interior side yard setback of 1.75 m (5.9 ft) be permitted, whereas the by-law requires a setback of 3.0 m (9.8 ft); and,
- 2) That a minimum exterior side yard setback of 6.0 m (20 ft.) be permitted, whereas the by-law requires a setback of 7.6 m (24.9 ft.); and,

- 3) That a minimum rear yard setback of 6.27 m (20.5 ft.) be permitted, whereas the by-law requires a setback of 7.6 m (24.9 ft.).

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

Yours truly,



Jameson Pickard, BURPL.
Junior Planner



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)

March 5, 2014

Township of Wellington North Committee of Adjustment
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, Building / Zoning Department

Dear Mr. Jones,

RE: Proposed Minor Variance A2/14
Part Park Lot 9, S/S Waterloo Street
Parts 1 to 4, RP 61R-11941
Geographic Town of Mount Forest
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposal in accordance with our mandate and policies. The purpose of the application is to provide relief from the minimum side yard and rear yard setback requirements to maximize the potential use of the proposed street townhouse residential development that is proposed on the property. The proposed minor variance is acceptable to the SVCA.

According to information available through the Natural Heritage Information Centre (NHIC), Bobolink has been identified on or near the subject property. Bobolink is a threatened species and receives protection under *Ontario's Endangered Species Act*. Section 5.4.2 of the Wellington County Official Plan states that development and site alteration will not be allowed in significant habitat of endangered or threatened species. Prior to development occurring on the property, the proponent should contact the Ministry of Natural Resources (MNR) regarding Bobolink habitat in the vicinity of the property.

There are no natural hazards affecting the subject property.

The property is not within the SVCA Regulated Area and is not subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended).

The proposal is acceptable to the SVCA. The Authority is of the opinion that, subject to the natural heritage features on the property being addressed, the proposed minor variance appears to conform to the relevant policies of the Wellington County Official Plan and Provincial Policies.

We trust these comments are helpful. Should questions arise, please do not hesitate to contact this office.



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 Committee of Adjustment
A2/14
March 5, 2014
Page 2 of 2

Sincerely,

Candace Hamm

Candace Hamm
Environmental Planning Coordinator
Saugeen Conservation

CH/

cc: Terry Fisk, Director, SVCA (via e-mail)