



# Township of Wellington North

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

## COMMITTEE OF ADJUSTMENT

Monday, May 2nd, 2011 – 7:15 p.m.

Municipal Office Council Chambers, Kenilworth

## A G E N D A

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AGENDA ITEM	PAGE NO.
<p><u>Chairman</u></p> <ol style="list-style-type: none"><li>1. Officially open the public meeting.</li><li>2. Declaration of Pecuniary Interest and General Nature Thereof.</li><li>3. Minutes, A9/10 and A10/10 (attached)</li></ol>	01
<p><b><u>APPLICATION A1/11</u></b></p> <p><b>Applicant: Sharon Lee Moody</b></p> <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 13, with a civic address of 104 Egremont Street South, Mount Forest. The property is approximately 1002 sq.m (10,790 sq.ft.) in size and has frontage on Egremont and Wellington Streets. The location of the property is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required rear yard and exterior side yard setback under section 12.2.2 and of the Wellington North Zoning By-law regulating the setback requirements for semi-detached dwellings in an R2 zone. The applicant is proposing to demolish the existing duplex and construct a semi detached dwelling. The property is located in a Residential (R2) zone. Other variances may be considered where deemed appropriate.</p> <ol style="list-style-type: none"><li>4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on April 21st, 2011 as well as posted on the property.</li></ol>	08

AGENDA ITEM	PAGE NO.
5. Application for a Minor Variance	09
6. Township Planner – Linda Redmond will review the County comments (attached).	16
7. Correspondence/Comments received:  - None	
8. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?  Are there any persons present who wish to make oral and/or written submissions against this application?  Those wishing to be notified of decision please leave name and address with secretary-treasurer.  Committee:  - Comments and questions	

AGENDA ITEM	PAGE NO.
<b><u>DEFERRED APPLICATION A5/08</u></b>	
<b>Applicant: Peter Schlegel</b>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is in Pt. Park Lot 7 &amp; 6, plan 61R8529 and is municipally known as 740 Princess Street (Mount Forest). The property is approximately 3.653 ha. (9 ac.) in size and is occupied by a partially completed townhouse development (phase 1). The location of the property is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT is to provide relief from the minimum required parking for the proposed townhouse development on the subject lands. According to Section 6.27.8 of the zoning by-law the required parking for a cluster townhouse development is 1.5 spaces per unit. Based on this, the proposal would require a minimum of 74 parking spaces, whereas the applicants are proposing to provide 61. Relief is required for 13 parking spaces.</p> <p>This variance was before the Committee of Adjustment on August 18th, 2008. The variance was deferred at the request of the applicant. The variance is now coming forward for consideration at the request of the applicant.</p>	18
9. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on April 21st, 2011 as well as posted on the property.	
10. Application for Minor Variance	19
11. A5/08 Committee of Adjustment Minutes – August 18, 2008	22
12. A5/08 Committee of Adjustment Minutes – September 8, 2008	28
13. Township Planner – Linda Redmond will review the County comments (attached).	33
14. Correspondence/Comments received (August 18, 2008 meeting):	
- Saugeen Valley Conservation Authority – No objection	35
- Warren Fink, 316 Jeremy’s Crescent – Concerns	36
- Thelma and Robert Rowsell, 749 Princess Street – Object	39
- Diane McDonald, President, Betty-Dee Ltd. – Object pending resolution of drainage	40

**Committee of Adjustment Agenda  
May 2nd, 2011 – 7:30 p.m.**

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<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
15. Correspondence/Comments received (September 8, 2008 meeting): <ul style="list-style-type: none"><li>- Warren Fink, 316 Jeremy's Crescent – Concerns</li><li>- Diane McDonald, President, Betty-Dee Ltd. – Object pending resolution of drainage</li><li>- Leon and Josie Vanderpas, 761 Princess Street – Not in favor</li></ul>	42 44 55
16. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?  Are there any persons present who wish to make oral and/or written submissions against this application?  Those wishing to be notified of decision please leave name and address with secretary-treasurer.  Committee: <ul style="list-style-type: none"><li>- Comments and questions</li></ul>	
17. Adjournment.	



# TOWNSHIP OF WELLINGTON NORTH

## COMMITTEE OF ADJUSTMENT

A9/10 and A10/10

Page Two

### APPLICATION A9/10

**Applicant: Mount Forest First Baptist Church Board of Trustees**

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 11-12, Part Lot 10, E/S Fergus Street North; Lot 11-12, Part Lot 8-10, W/S Egremont Street North with a civic address of 116 Fergus Street North, Community of Mount Forest.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.27.8 of the Wellington North Zoning By-law regulating minimum parking requirements for an Institutional use. The applicants are proposing an addition to the existing building on the property and are unable to provide the minimum number of parking spaces required.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on October 6<sup>th</sup>, 2010 as well as posted on the property.
5. Township Planner, Linda Redmond, reviewed the County comments dated October 12, 2010.

The variance requested would provide relief from the minimum parking requirement for a place of worship from 102 spaces to 70 spaces. This reduction can be justified and there will be adequate on-site parking for this use. It should be noted that the site plan submitted with the application does not provide dimensions for the parking stalls and aisle widths, therefore staff could not confirm that the 70 parking spaces as shown on the site plan meet the requirements of the zoning by-law. Further the circular driveway located at the intersection of Fergus and Wellington Streets does not meet the requirements of the zoning by-law and could pose a safety issue. The Planning Department recommends that this driveway should be redesigned.

The Committee should be satisfied that the proposed variance would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

# TOWNSHIP OF WELLINGTON NORTH

## COMMITTEE OF ADJUSTMENT

A9/10 and A10/10

### Page Three

The subject property is designated RESIDENTIAL (Mount Forest Urban Centre) in the County of Wellington 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.

Under the Wellington North Zoning By-law the subject lands are zoned Institutional (IN) and are occupied by a former school that has been converted to a church use. The applicants are proposing to construct a 650 sq.m (6996.5 sq.ft.) sanctuary addition which will bring the total gross floor area of the church, hall, offices and classrooms to 3160 sq.m (34,000 sq.ft.). The parking requirement is based on the gross floor area of the sanctuary and hall only. As such the total parking required for this use is 102 spaces, whereas 70 spaces are to be provided. The variance required is for a deficiency of 32 spaces.

6. Correspondence/Comments received:

- Erik Downing, Environmental Planning Technician, SVCA
- No objection

7. Questions/Comments

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

Board members, Dwight Benson and Jack Amarial were present to answer any questions regarding the application. Mr. Benson stated that the site plan was done to scale so the parking spaces are to proportion and are the right size to comply with what is needed. The halls will have fire doors to separate them from the sanctuary. Currently the congregation is approximately 200 with a projection of 425 to 435 for the whole building. There is 920 feet of legal street parking available.

Ms. Redmond explained that the 102 parking spaces are for the whole building, not just the proposed sanctuary.

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A9/10 and A10/10**

**Page Four**

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

No one was present to make oral and/or written submissions against this application.

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

**Committee – Comments and Questions**

Councillor Yake commented that there seemed to be some confusion between the planning department and the church. He did not have any problems with the application but felt some clarification is needed between the two.

Councillor Mason stated that he had no problems with the variance.

Mayor Broomhead questioned if a condition that the circular driveway be redesigned should be included. Ms. Redmond commented that the driveway does not meet the setback requirements of the Zoning By-law. This could be covered in a Site Plan Agreement.

Mr. Benson objected to changing the driveway; which has been in existence since 1953, as there are no curb or gutter issues and it is on their property. A Site Plan will be provided but a Site Plan Agreement is not required.

**Moved by: Councillor Matusinec**

**Seconded by: Councillor Mason**

***THAT the minor variance applied for in Application A9/10 be authorized.***

**Resolution No. 2**

**Carried**



**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A9/10 and A10/10**

**Page Five**

**APPLICATION A10/10**

**Applicant: Shawn Dale Small and Lucinda Gladys Small**

THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 2, Concession 12 with a civic address of 9590 Lover's Lane. A single detached dwelling is located on the 0.68 ha (1.7 ac) rural residential property.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.1.4 ii) of the Wellington North Zoning By-law regulating the maximum floor area for an accessory building of a residential use. The applicant is proposing to construct a detached garage and relief is requested to increase the maximum floor area from 92.9 sq. m (1,000 sq ft.) to 222.96 sq. m (2400 sq. ft). The property is located in an Agricultural (A) zone.

8. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on October 6<sup>th</sup>, 2010 as well as posted on the property.
9. Township Planner, Linda Redmond, reviewed the County comments dated October 12, 2010.

The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a reduced agricultural lot (apprx. 1.72 ac.). The proposed garage will be 2400 sq.ft., whereas the by-law allows 1000 sq.ft. The building will comply with all other requirements for an accessory structure.

The Planning Department had no concerns with the relief requested. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. The Committee should be satisfied that the proposed accessory building is intended for personal use and not for commercial purposes.

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A9/10 and A10/10**

**Page Six**

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.

Wellington North Zoning By-law the subject lands are zoned Agricultural. The property is currently occupied by a residence and the applicants are proposing to construct a 40 ft. x 60 ft. garage. Section 6.1.4 (ii) of the By-law allows a maximum floor area for an accessory building of 1000 sq.ft. As such the following relief is being requested:

1. A maximum allowable floor area for a detached accessory structure of 2400 sq.ft., whereas the by-law allows 1000 sq.ft.

Based on the provided sketch the accessory structure will comply with all setbacks requirements.

10. Correspondence/Comments received:

- Erik Downing, Environmental Planning Technician, SVCA
- No objection

11. Questions/Comments

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

The applicant, Shawn Small, was present to answer any questions regarding the application.

Mr. Small explained that the building will serve as a garage so they can put everything inside.

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A9/10 and A10/10**

**Page Seven**

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

None present.

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

Committee – Comments and Questions

Councillor Yake commented that he has seen the site and is ok with the application.

**Moved by: Councillor Matusinec**

**Seconded by: Councillor Mason**

***THAT the minor variance applied for in Application A10/10 be authorized.***

**Resolution No. 3**

**Carried**

12. Adjournment

**Moved by: Councillor Mason**

**Seconded by: Councillor Matusinec**

***That the Committee of Adjustment meeting of October 18, 2010 be adjourned.***

**Resolution No. 4**

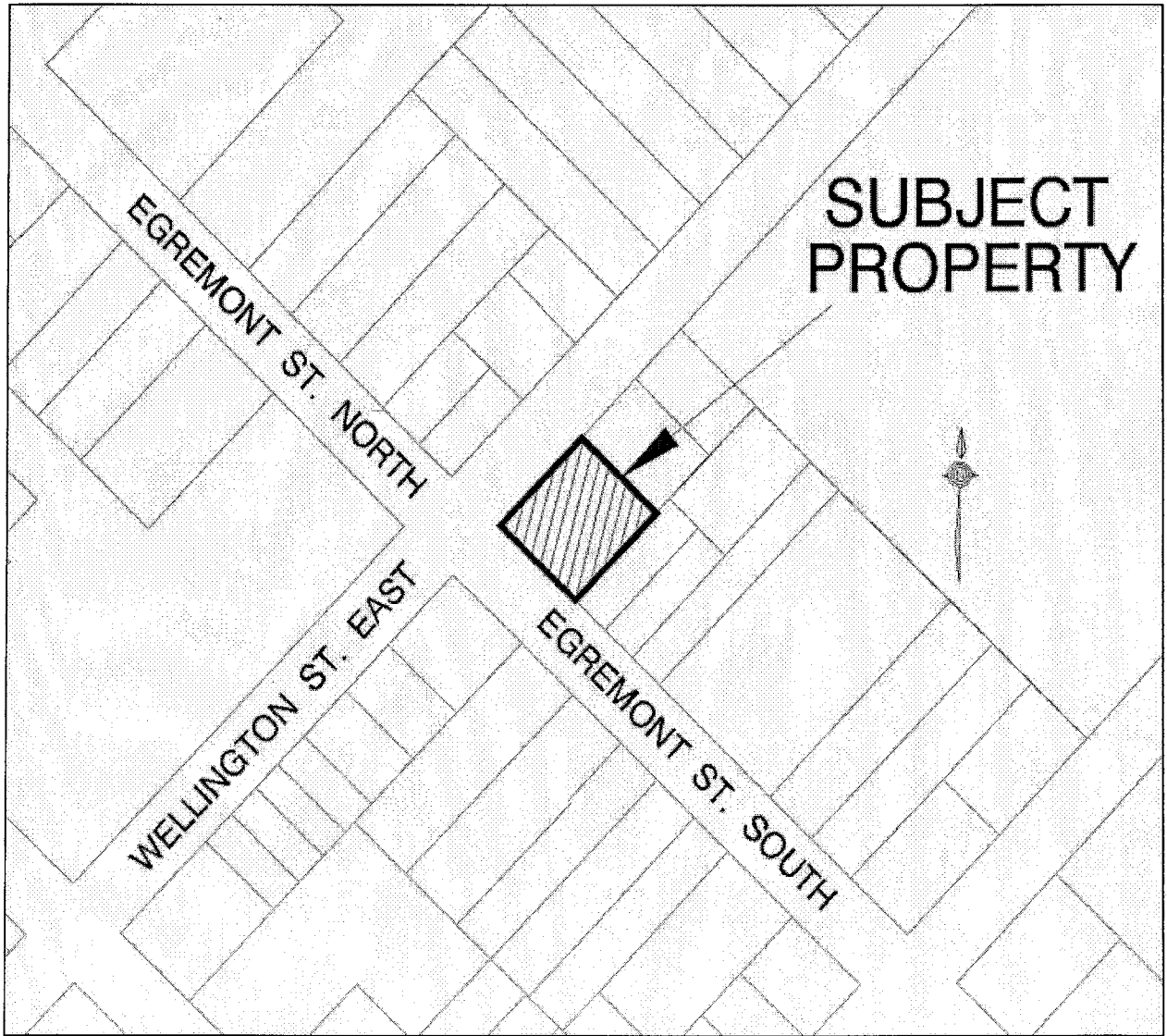
**Carried**

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Alt. Secretary Treasurer

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Chairman



SUBJECT  
PROPERTY

RECEIVED

MAR 29 2011



TWP. OF WELLINGTON NORTH

PADFIELD REALTY  
Brokerage

March 24, 2011

149 MAIN ST. SOUTH  
MOUNT FOREST, ONT N0G 2L0  
BUS: (519) 323-3022  
FAX: (519) 323-1092  
E-mail: padfield@coldwellbanker.ca

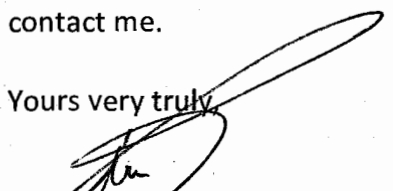
Ms. Cathy More  
Secretary Treasurer  
Committee of Adjustment  
Township of Wellington North  
P.O. Box 125  
7490 Sideroad 7 West  
Kenilworth, Ontario  
N0G 2E0

Dear Cathy:

I am pleased to enclose the application for minor variance for a proposed project to be developed at the corner of Egremont and Wellington Streets in Mount Forest. Also accompanying this application is a photocopy of the artist's conception of the two semi-detached homes that are proposed to be built, a surveyor's sketch of the lot itself as well as a sketch plotting out the proposed location of the two semi-detached dwellings on the lot. The overall goal is to construct the two semi-detached dwellings and then sever this parcel into two. Needless to say, the existing duplex which is reflected on Alex Wilson's sketch of 2006 will be demolished and removed from that site. There is a 12' right of way running along the south side of the subject lot which is used to provide access to an otherwise land locked house occupied by Mrs. McKenzie. We have reviewed the enclosed proposal with Mark Van Patter of the Planning Department. I have also included his comments for your records.

If you have any questions or if I can provide any clarification at all please do not hesitate to contact me.

Yours very truly



William I. Nelson  
B.Math., F.R.I., C.R.F., M.V.A. – Residential  
Broker  
Encl.



# TOWNSHIP OF WELLINGTON NORTH

## APPLICATION FOR A MINOR VARIANCE

Date Received: Mar 29, 2011

File Number: A 111

Roll # 23-49-000-002-06000-0000

Date Application Filed: \_\_\_\_\_

Application Fee Received: \$ \_\_\_\_\_

### A. GENERAL INFORMATION

#### 1.\* APPLICANT INFORMATION

a)\* Registered Owner's Name(s): SHARON LEE WOODY

Address: 560 CHURCH CRES, MOUNT FOREST NOG 2L2

Phone: Home (519) 323.4660 Work (519) 323.3022 Fax 519. 323.1092

Email: william-nelson@coldwellbanker.ca

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

b)\* Applicant (Agent) Name(s): WILLIAM NELSON

Address: P.O. Box 1300, MOUNT FOREST NOG 2L0

Phone: Home (519) 323.4660 Work (519) 323.3022 Fax (519) 323.1092

Email: william-nelson@coldwellbanker.ca

c)\* Name, Address, Phone No. of all persons having any mortgage charge or encumbrance on the property:  
DAVID AND SHIRLEY BRUCE, 413 DURHAM STE, MOUNT FOREST

d) Send Correspondence To: Owner [ ] Agent [  ] Other [ ] NOG 2L2  
519.323.0399

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

Measurements are in: Metric [ ] Imperial [  ] units

Municipal Address: 104-114 EGREMONT ST S., MOUNT FOREST

Concession: \_\_\_\_\_ Lot: \_\_\_\_\_ Registered Plan No.: \_\_\_\_\_

Area: 10,790 Depth: 114.3 Frontage (Width): 94.4 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.

N/A

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

Official Plan Designation: RESIDENTIAL

Zoning: R2.

**B. EXSTING AND PROPOSED SERVICES**

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

	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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?

WELLINGTON AND EGREMONT STREETS

**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)

RELIEF FROM REAR YARD REQUIREMENT OF 24.9 FEET ON PROPOSED INTERIOR LOT

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

LACK OF LOT DEPTH

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

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

a) THE SUBJECT PROPERTY? VACANT DUPLEX

b) THE ABUTTING PROPERTIES? SINGLE FAMILY DWELLINGS

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

	Existing	Proposed		Existing	Proposed
a) Type of Building(s)	DUPLEX	2 SEMI'S	b) Main Building Height	1 1/2 ST	Bungalow
c) % Lot Coverage	13%	32%	d) # of Parking Spaces	2	2
e) # of Loading Space(s)	-	-	f) Number of Floors	2	1
g) Total Floor Area (exclude basement)	2,812	2,210	h) Ground Floor Area	1,406	2,210

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 [X] units

	Existing	Proposed		Existing	Proposed
a) Front Yard	4.3	24.9	b) Side Yards	20 and 34	24.9 and 18
c) Rear Yard	66.3	13			

13.\* DATE OF ACQUISITION OF SUBJECT PROPERTY: APRIL 1, 1997

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: TURN OF THE CENTURY

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY? 50+ YEARS

15.\* HAS THE OWNER PREVIOUSLY APPLIED FOR RELIEF IN RESPECT OF THE SUBJECT PROPERTY  
 YES [ ] NO [X]  
 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 [X]
Zoning By-law Amendment	Yes [ ]	No [X]
Plan of Subdivision	Yes [ ]	No [X]
Consent [Severance]	Yes [ ]	No [X]

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) SHARON LEE MOODY of the TWP of WELLINGTON NORTH

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

S. Lee Moody  
Signature of Owner(s)

March 24/11  
Date

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

I (we) WILLIAM NELSON of the TOWNSHIP OF WELLINGTON NORTH County 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 the County of

WELLINGTON this 24th day of MARCH, 2010

[Signature]  
Signature of Owner or Authorized Solicitor or Authorized Agent

\_\_\_\_\_  
Date

[Signature]  
Signature of Commissioner

24 MARCH, 2011

\_\_\_\_\_  
Date

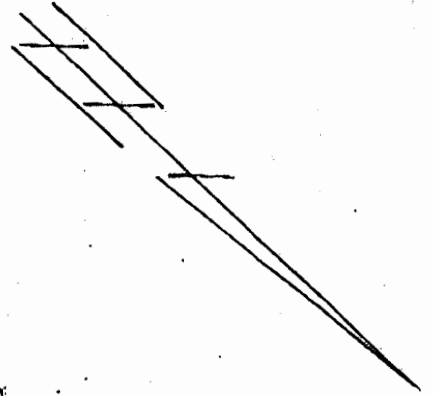
**JUSTICE OF THE PEACE  
PROVINCE OF ONTARIO**

**APPLICATION AND FEE OF \$500.00 RECEIVED BY THE MUNICIPALITY:**

\_\_\_\_\_  
Signature of Municipal Employee

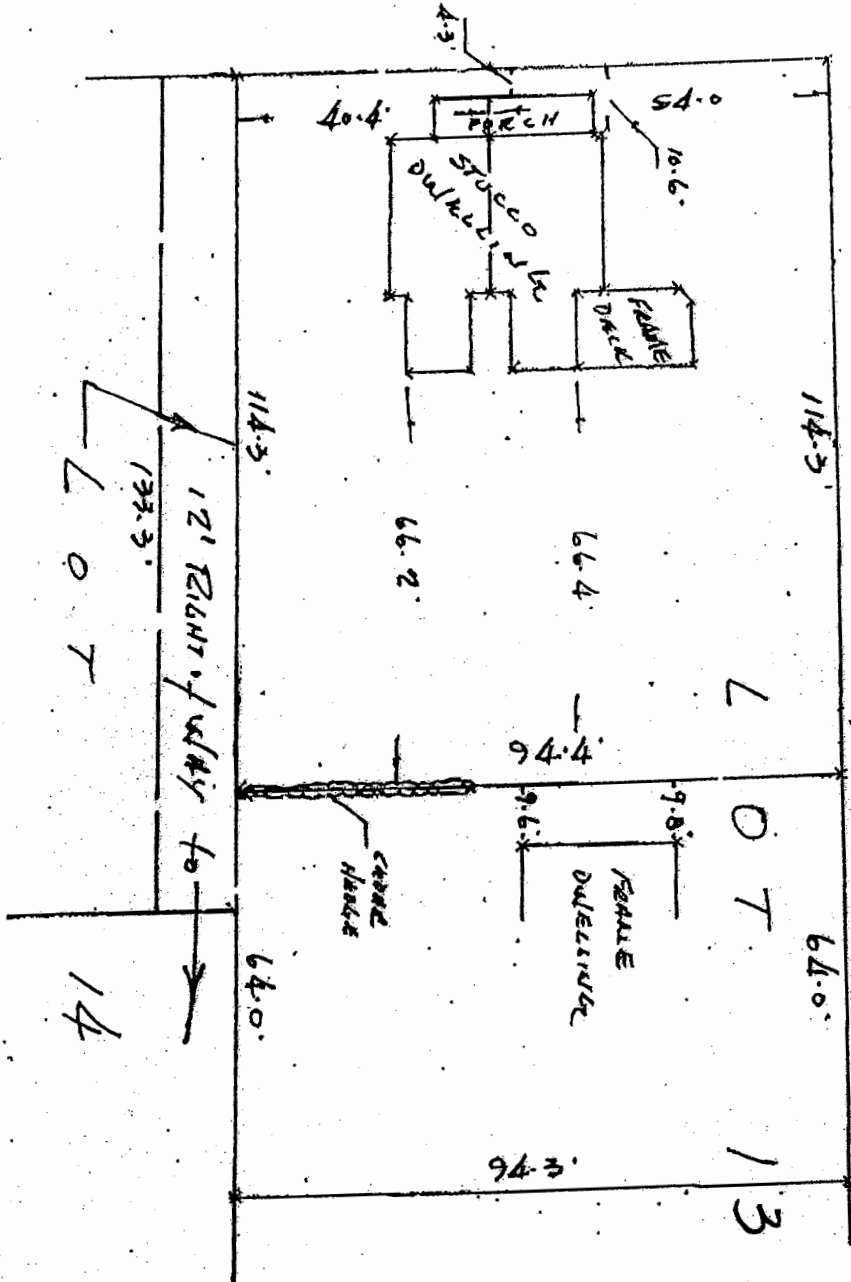
\_\_\_\_\_  
Date

Nov/06  
7415



ELMONT STREET

WELLINGTON STREET



WILLINGTON STREET

114.3

94.3'

18'

70'

51'

249'

24' 9"

12' 0" ROW

EGREMONT STREET



## 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

April 27, 2011

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

Dear Mr. Jones,

Re: **Minor Variance Application A1/11**  
**Part of Lot 13**  
**104 Egremont Street, Mount Forest**  
**Moody**

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

**Planning Opinion:** The variances requested would provide relief from sections 12.2.2.5 & 12.2.2.8 of the Zoning By-law to allow a reduced front yard and rear yard to allow the construction of a semi detached dwelling.

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

**Wellington County Official Plan:** The subject property is designated Residential in the Mount Forest Urban area. 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 Residential (R2). The applicants are proposing to demolish the existing dwelling and construct a new semi-detached bungalow (2 units) on the subject lands. Currently the proposed location of the dwelling(s) will comply with the minimum yard setbacks, however, it is the intention of the applicant to sever the dwellings in the future, which will then create a rear yard deficiency. The minimum required rear yard setback is 7.6m (24.9 ft), whereas 3.6m (12 ft) is proposed.

The intent of the zoning by-law with respect to rear yard setbacks is to allow adequate separation through an open space buffer between adjoining properties to protect privacy of neighbouring amenity areas and to ensure the preservation of a private landscaped amenity area on the subject property for the occupants of the dwelling. The proposal for a 3.6m setback does not allow adequate separation with the adjacent property at 124 Egremont St S which has a reduced frontage (40 ft). Additionally the reduction will significantly reduce the landscaped

amenity area on the subject property which will affect the usability of the space for the future owners of the property. It should be noted that there is an existing right of way along the abutting property line for access to another property.

Staff discussed the above issue with the applicant and suggested shifting the proposed location of the dwelling closer to Wellington Street as an alternative, which would create a larger rear yard setback. The new configuration would still require variances for a reduced front yard setback and rear yard setback, however it would create a more useable rear yard area.

As such the following variances are required:

1. A rear yard setback of 5.4m (18 ft), whereas 7.6m (24.9 ft) is required, a difference of 2.2m.
2. A northwesterly (front yard) setback of 5.76m (18.9 ft), whereas 7.6m (24.9 ft) is required, a difference of 1.84m.

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

Yours truly,



Linda Redmond, B.A.  
Planner



**SUBJECT  
PROPERTY**

~~Sept 8<sup>th</sup>~~  
Same as  
fmg.

**MINOR VARIANCE APPLICATION**

Pursuant to Section 45 of The Planning Act R.S.O. 1990, as amended.

Township of Wellington North  
Committee of Adjustment  
7490 Sideroad 7 W, Kenilworth, ON N0G 2E0  
Phone: (519)848-3620, Fax: (519)848-3228  
Mrs. Cathy More, Secretary/Treasurer

Application Fee Received: \$ 500  
Date Received: 30/5/10  
File Number: A 5108  
Date Application Filed: \_\_\_\_\_  
Roll # 23-49-000-006-05200-0000

**A. GENERAL INFORMATION**

**1.\* APPLICANT INFORMATION**

a)\* Registered Owner's Name(s): Peter D. Schlegel  
Address: RR #3 Wingham, Ontario  
Phone: Home (519) 870-8088 Work (519) 870-8088 Fax (519) 357-2915

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

b)\* Applicant (Agent) Name(s): Andrea Parsons  
Address: 960 Baker Ave. Listowel ON N4W 3V7  
Phone: Home (519) 291-6981 Work (519) 584-5998 Fax (519) 323-3540

c)\* Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:  
NIA

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

**2.\* PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY** Measurements are in Metric  Imperial [ ] units

Municipal Address: 740 Princess St., Mount Forest  
Concession: \_\_\_\_\_ Lot: Park Lot 7 + Lot 6 Registered Plan No.: 61R8529  
Area: 3.653 hectares Depth: 200 meters Frontage (Width): 227.30 meters 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.** NIA

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

Official Plan Designation: Residential  
Zoning: IN-37

**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	<input checked="" type="checkbox"/>	[ ]	[ ]	[ ]	<input checked="" type="checkbox"/>	[ ]	[ ]	[ ]

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?**

Princess Street

Required parking spaces is 74, provided is 61, relief for 13.

**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)  
 Relief is being applied for in regards to parking spaces. Current zoning requires 1.5 spaces per unit. Site plan provides 61 spots. Future phases on this property include a long-term care home and retirement home where there will be additional parking spaces available.
- 9.\* WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW?  
 (Please specifically indicate on sketch)  
 Proposed site plan cannot accommodate additional parking spaces. As well is a seniors condo complex based on experience 1.5 spots per unit is not necessary for this type of development. There will be tenants will also have a garage and is in addition to 61 parking spaces available.

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

- 10.\* WHAT IS THE "EXISTING" USE OF:  
 a) THE SUBJECT PROPERTY? vacant land - proposed seniors continuum of care center  
 b) THE ABUTTING PROPERTIES? subdivision

11.\* PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS ON OR PROPOSED FOR THE SUBJECT LAND:

Measurements are in Metric [ ] Imperial [ ] units

	Existing	Proposed	Existing	Proposed
a) Type of Building(s)				
b) Main Building Height				
c) % Lot Coverage	<u>See site plan</u>		<u>See site plan</u>	
d) # of Parking Spaces				
e) # of Loading Spaces				
f) Number of Floors				
g) Total Floor Area (exclude basement)				
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

	Existing	Proposed	Existing	Proposed
a) Front Yard	<u>See site plan</u>		<u>See site plan</u>	
b) Rear Yard				
c) Side Yards				

13.\* DATE OF ACQUISITION OF SUBJECT PROPERTY: \_\_\_\_\_

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: NIA

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?  
currently vacant land

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:  
Not Applicable

**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 [ ]	No <input checked="" type="checkbox"/>

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

File No. of Application: Not Applicable  
 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) Peter Schlegel of the Town of Wingham, County/Region  
of Noah Peah do hereby authorize Andrea Parsons to act as my agent in this application.

x [Signature] July 30/08  
Signature of Owner(s) Date

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

I (we) Andrea Parsons of the Town of Mount Forest  
County/Region of Wellington Noah 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/Region of  
Wellington this 30 day of July, 2008

[Signature] Jul. 30/08  
Signature of Owner or Authorized Solicitor or Authorized Agent Date  
[Signature] July 30/08  
Signature of Commissioner Date

**APPLICATION AND FEE OF \$ 500.00 RECEIVED BY THE MUNICIPALITY:**

\_\_\_\_\_  
Signature of Municipal Employee Date



**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08 and A6/08**

**Page Two**

**APPLICATION A5/08**

**Applicant: Peter Schlegel**

THE LOCATION OF THE SUBJECT PROPERTY is in Pt. Park Lot 7 & 6, plan 61R8529 and is municipally known as 740 Princess Street (Mount Forest). The property is approximately 3.653 ha. (9 ac.) in size and vacant. The location of the property is shown on the map below.

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the minimum required parking for the proposed townhouse development on the subject lands. According to Section 6.27.8 of the zoning by-law the required parking for a cluster townhouse development is 1.5 spaces per unit. Based on this, the proposal would require a minimum of 74 parking spaces, whereas the applicants are proposing to provide 61. Relief is required for 13 parking spaces.

4. The Alt. Secretary-Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on August 6, 2008 as well as posted on the property.
5. Linda Redmond, Township Planner, County of Wellington

Ms. Redmond her reviewed comments dated August 8, 2008. The planning department has no concerns with this proposal as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the subject property. Each unit will have an attached garage and the garage is considered as required parking. There is additional parking provided in the driveway of each unit; however this cannot be counted as required parking. There will also be an additional 12 spaces on site for visitors. A nursing home is proposed on the other portion of the property. The applicants are wishing to proceed with the townhouse development and the nursing home will follow at a later date. Once the nursing home is developed there will be pedestrian access between the two uses, which will provide additional parking opportunities. This combined with the supplemental parking located in front of the garages will provide adequate parking for this development.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/08 and A6/08

Page Three

6. Correspondence/Comments received from:

- Saugeen Valley Conservation Authority
  - No Objection
- Warren Fink, 363 Jeremy's Crescent, Mount Forest
  - Concerns with reduced required parking spaces
- Thelma and Robert Rowsell, 749 Princess St., Mount Forest
  - Object to reduced required parking spaces
- Leon and Josie Vandepas, 761 Princess St., Mount Forest
  - Object to reduced required parking spaces
- Diane McDonald, President, Betty-Dee Limited
  - Object pending resolution of drainage issues

7. Peter Schlegel was not present to answer any questions regarding this application.

Several people were present to make oral and/or written submissions against this application.

Yvonne Leies, 371 Jeremy's Crescent, Mount Forest

- Ms. Leies stated that she is already concerned with increase traffic and on street parking resulting from the various sporting activities taking place in the area. She is also concerned that the opening of the new arena will make matters worse and that on street parking will block driveways. Ms. Leies questioned if the parking for the overall development will be sufficient and if employee parking will be accounted for.

Diane McDonald, Betty Dee Ltd.

- Ms. McDonald presented correspondence regarding her concerns with this development. Her neighbouring property continues to have drainage issues resulting from other developments in the area. Ms. McDonald wants assurance that there is a storm water management plan so that no additional water goes onto her property. Unless these issues can be resolved she intends to object to approval of this by-law.

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08 and A6/08**

**Page Four**

7. Questions/comments regarding this application. (continued)

The Committee and Planner commented that storm water management is part of the site plan for this development. The Township engineers ensure that storm water management requirements are met.

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

Committee: - comments and questions

Councillor Yake commented that there have been problems with reduced parking for previous similar developments. The Township needs to do the best it can to ensure adequate parking is provided within developments.

Councillor Chaulk expressed his concern that visitor parking within the development would be used by local people in the area for other reasons. He questioned if an area for parking could be available where the second phase will be developed.

The Committee concurred that this application would best be deferred until Mr. Schlegel could be present to provide information about the development.

**Moved by: Councillor Mason**

**Seconded by: Councillor Chaulk**

**That the minor variance applied for in Application A5/08 be deferred.**

**Res. No. 2**

**Carried**

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08 and A6/08**

**Page Five**

**APPLICATION A6/08**

**Applicant: James and Sheryl Phillips**

THE LOCATION OF THE SUBJECT PROPERTY is described as Part lot 15, Concession 5 with a civic address of 9080 4<sup>th</sup> Concession North. The property has 109.7 metres (360 ft.) of frontage and an area of 1.973 ha (4.87 ac.). The property is shown on the attached map.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum floor area requirement for a hobby barn. Under Section 8.3.1 of the By-law, the maximum allowable floor area for a hobby barn on a property of this size is 54.58 m<sup>2</sup> (587.5 sq.ft.). The applicant is requesting permission to construct a 1,728 square foot hobby barn of which 864 sq.ft. will be occupied by two horses and the remaining floor area will be used to store hay and a tractor.

1. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on August 6<sup>th</sup>, 2008 as well as posted on the property.
  
2. Linda Redmond, Township Planner, County of Wellington

Ms. Redmond her reviewed comments dated August 8, 2008. The planning department asked for clarification of the floor area of the proposed building and how it functions as the floor plan shows a future third stall, a run in and a second storey. The proposed 1728 sq. ft. structure is suitable for an accessory building on a parcel of land that is 1.973 ha. (4.87 ac.). There is some concern with the floor area of the hobby barn and the potential livestock capacity. The planner recommended that approval of this application state that the building is permitted or restricted to two horses. The planner further recommended that consideration be given to what type of manure management is being proposed.

3. Correspondence/Comments received:

GRCA – no objection

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08 and A6/08**

**Page Six**

4. Mr. Phillips was present to answer any questions regarding this application.

Mr. Phillips clarified the floor area of the proposed building. The company building the hobby barn included a future stall in the drawings; however, there are no plans for a third stall or horse. Mr. and Mrs. Phillips currently own two horses and board them elsewhere for their two sons.

No one was present to make oral and/or written submissions against this application.

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

Committee: - comments and questions

Councillor Chaulk questioned where the manure will be going. Mr. Phillips explained that manure will be applied to his own garden, surrounding property and if necessary taken to a family farm property east of Arthur.

**Moved by: Councillor Yake**

**Seconded by: Councillor Mason**

**That the minor variance applied for in Application A6/08 be authorized.**

**Res. No. 3**

**Carried**

5. Adjournment

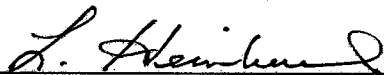
**Moved by: Councillor Yake**

**Seconded by: Councillor Chaulk**

**That the Committee of Adjustment meeting of August 18, 2008 be adjourned.**

**Resolution No. 4**

**Carried**

  
\_\_\_\_\_  
Alt. Secretary Treasurer

  
\_\_\_\_\_  
Chairman

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08**

The Committee of Adjustment met on Monday, September 8, 2008 at the Kenilworth Municipal Office, at 7:00 p.m.

1. The Chairman called the meeting to order.

**Members Present:** Chairman: Ross Chaulk  
Bob Mason  
John Matusinec  
Dan Yake

**Absent:** Mike Broomhead

**Also Present:** Alt. Secretary-Treasurer, Lorraine Heinbuch  
Executive Asst., Cathy Conrad  
Township Planner, Linda Redmond

2. **Disclosure of Pecuniary Interest and General Nature Thereof**

None reported

3. **Minutes**

**Moved by:** Councillor Mason  
**Seconded by:** Councillor Matusinec

*THAT the Committee of Adjustment meeting minutes of August 18, 2008, – A5/08 and A6/08 be adopted as presented.*

**Resolution No. 1**

**Carried**

The public meeting was held to consider Minor Variance Application A5/08 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.



**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08**

**Page Two**

**APPLICATION A5/08** – Deferred from August 18<sup>th</sup>, 2008 Committee of Adjustment Meeting

**Applicant: Peter Schlegel**

THE LOCATION OF THE SUBJECT PROPERTY is in Pt. Park Lot 7 & 6, plan 61R8529 and is municipally known as 740 Princess Street (Mount Forest). The property is approximately 3.653 ha. (9 ac.) in size and vacant.

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the minimum required parking for the proposed townhouse development on the subject lands. According to Section 6.27.8 of the zoning by-law the required parking for a cluster townhouse development is 1.5 spaces per unit. Based on this, the proposal would require a minimum of 74 parking spaces, whereas the applicants are proposing to provide 61. Relief is required for 13 parking spaces.

4. The Alt. Secretary-Treasurer confirmed that notice was mailed to property owners who sent correspondence and attended the Committee of Adjustment meeting on August 18<sup>th</sup>, 2008.
  
5. Linda Redmond, Township Planner, County of Wellington  
  
Ms. Redmond explained that her correspondence was thoroughly reviewed at the previous meeting and that she was there to answer additional question and address other concerns.
  
6. Correspondence/Comments received from:
  - Saugeen Valley Conservation Authority
    - No Objection
  
  - Warren Fink, 363 Jeremy's Crescent, Mount Forest
    - Concerns with reduced required parking spaces
  
  - Thelma and Robert Rowsell, 749 Princess St., Mount Forest
    - Object to reduced required parking spaces

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/08

Page Three

6. Correspondence/Comments received from: (continued)
  - Leon and Josie Vandepas, 761 Princess St., Mount Forest
    - Object to reduced required parking spaces
  - Diane McDonald, President, Betty-Dee Limited (2 letters)
    - Object pending resolution of drainage issues

7. Questions/Comments

Peter Schlegel was present to answer any questions regarding this application. Mr. Schlegel stated that he feels the application is within the means of intent of the proposed use. He is planning to proceed with the project in the near future. As the first phase of the project meets the required parking Mr. Schlegel suggested that the application concerning the parking issue be deferred until phase two begins.

Linda Redmond, Township Planner explained that the application applies to the whole parcel and that the first phase does meet the requirements. The first phase can proceed without the minor variance.

Warren Fink, 363 Jeremy's Crescent, Mount Forest, expressed his concern and opposition to the application. Mr. Fink is concerned about population density, increased traffic and on street parking. He is concerned that parking for staff and visitors is currently inadequate. Vehicles are parked on the street now because of a shortage of available parking. Twelve parking spaces seems grossly inadequate for 49 homes. Snow removal is another problem. Snow is stored on site until the Town can take it away, thereby resulting in a reduced parking area. Mr. Fink expressed his confusion over which part of the development the application applied to. Linda Redmond explained that the first stage of phase one, the townhouse development, does comply.

Acting Mayor Chaulk requested that the Planner explain where the deficiency occurs within this project.

# TOWNSHIP OF WELLINGTON NORTH

## COMMITTEE OF ADJUSTMENT

A5/08

### Page Four

7. Questions/Comments (continued)

Ms. Redmond explained that the nursing home is not part of this application and is not under review. It has been shown because the applicant was asked to show how the whole project would work. Half of the property is proposed for townhouses. That development is being done in two stages. There are twenty one units in phase one. The parking deficiency will happen when phase two begins. Under a site plan control agreement you can proceed in stages, so the applicant is allowed to begin with stage one at this time. On street parking is allowed now and will continue.

Diane MacDonald, Betty-Dee Limited, expressed her confusion over the Zoning By-law Amendment passed at the Council meeting held on August 18 when the minor variance had been deferred at the Committee of Adjustment meeting on August 18. She is concerned with the entrance. Her experience with other nursing homes is that there is never enough parking.

Ms. Redmond explained the Committee of Adjustment meeting held on August 18 was separate from the By-law passed at the Council Meeting. The Committee of Adjustment meeting was held in regards to the parking issue. The by-law passed at the August 18 Council meeting was to remove the holding designation to allow the project to proceed. The holding designation was removed because services are now in place to accommodate the project.

Gary Williamson, Manager of Public Works, stated that there seemed to be confusion over what everyone was commenting on. The removal of the "H" was possible because Mr. Schlegel had paid to ensure adequate services were in place. There was no requirement for public comment in this regard. Snow removal for the nursing home is not part of this application. This is a private road and Mr. Schlegel could simply put in a gravel parking lot to resolve parking issues. Similar developments also experience the problem of not having enough parking at times, such as Christmas and Easter. Speeding and on street parking would be enforced by the police. This meeting is held in regards to the town house parking issue only; not storm water management or nursing home parking. No input is needed for stage one to proceed as parking is sufficient at this point.

Robert Rowsell, 749 Princess St., Mount Forest, asked if details of this meeting would be available. Acting Mayor Chaulk informed him that minutes were being taken.

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A5/08**

**Page Five**

7. Questions/Comments (continued)

Mr. Schlegel stated that the parking was designed for the overall acres and would be sufficient. The nursing home project is dependent on funding from the Ministry of Health. The planning committee does not allow parking in the driveway to be considered when determining available parking. This project will provide a prime facility in this part of Ontario with the opportunity to have seniors housing near a medical centre and hospital.

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

**Moved by: Councillor Mason**

**Seconded by: Councillor Yake**

*That the minor variance applied for in Application A5/08 be deferred.*

**Res. No. 2**

**Carried**

8. Adjournment

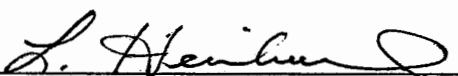
**Moved by: Councillor Matusinec**

**Seconded by: Councillor Mason**

*That the Committee of Adjustment meeting of September 8, 2008 be adjourned.*

**Resolution No. 3**

**Carried**

  
Alt. Secretary Treasurer

  
Chairman



## 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

April 27, 2011

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

Dear Mr. Jones,

Re: **Minor Variance Application A6/08**  
**Pt. Park Lot 7 & 6, plan 61R8529**  
**740 Princess Street (Mount Forest)**  
**Schlegel (Saugeen Valley Nursing Home)**

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

**Planning Opinion:** The variance requested would provide relief from Section 6.27.8 of the Zoning By-law that requires 74 parking spaces for a 49 unit residential townhouse development. The applicants are requesting a reduction in the required parking to 69 spaces. We would have no concerns with this proposal that maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the subject property.

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

**Wellington North Zoning By-law:** The subject lands are currently zoned Institutional with a site specific exemption 37 (IN-37). This zoning category permits a nursing home and townhouse development. At this time a portion of the lands are proposed for a 49 unit townhouse development. The parking needed for this type of use is 74 spaces based on the requirement of 1.5 spaces per unit. The applicants are proposing to provide 61 spaces.

The development as proposed will provide each unit with an attached garage. For the purposes of the zoning by-law the garage is considered the required parking space. There is additional parking provided in the driveway of each unit however this cannot be counted as required parking. There will also be an additional 12 spaces on the site for visitors. Additionally there is a nursing home proposed on the other portion of the property. At this time the applicants are wishing to proceed with the townhouse development and the nursing home will follow at a later date. Once the nursing home is developed there will be pedestrian access between the two uses, which will provide additional parking opportunities. This combined with the supplemental parking located in front of the garages will provide adequate parking for this development.

**Additional Information** This variance was before the Committee of Adjustment in 2008. At that time the land was vacant and there were concerns raised by the neighbours primarily related to overflow of parking onto the surrounding roads. The applicant asked the Committee to defer the application until a later date. Since that time Phase 1 of the site is almost complete which includes 6 townhouse blocks and comprises 25 units. Phase 2 which contains the remaining 24 units has not received final site plan approval which is contingent on this variance as the parking deficiency is located within this Phase of the development.

I trust that these comments will be of assistance to the Committee.

Yours truly,



Linda Redmond, BA  
Planner



261123 Grey Rd. 28  
Municipality of West Grey  
(former Normanby Twp.)

Mailing Address:  
R.R. 1, Hanover, ON  
Canada N4N 3B8

Tel 519-364-1255  
Fax 519-364-6990  
www.svca.on.ca  
publicinfo@svca.on.ca

RECEIVED

AUG 18 2008 August 14, 2008

TWP. OF WELLINGTON NORTH

Township of Wellington North  
7490 Sideroad 7 West  
Committee of Adjustment  
P.O. Box 125  
Kenilworth, ON  
N0G 2E0

**FAXED**  
*Aug 14/08*

ATTENTION: Darren Jones, Building Inspector

Dear Ms. More:

RE: Proposed Minor Variance A5/08  
Part of Park Lot 7 and 6, Plan 61R-8529  
South Side of Princess Street  
(740 Princess Street)  
Former Town of Mount Forest  
Township of Wellington North

The Saugeen Valley Conservation Authority has reviewed the proposed minor variance in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington relating to Plan Review. We offer the following comments.

There are no natural hazards or significant natural heritage features on the subject property. Please note that Authority staff have been involved with the Site Plan review process and stormwater management for the proposed development.

The SVCA has no objection to the approval of the minor variance application that would provide relief from the required number of parking spaces.

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

Yours sincerely,

*Jo-Anne Harbinson*  
Jo-Anne Harbinson  
Environmental Planning Coordinator

JH/

Conservation  
Through  
*Cooperation*

A MEMBER OF



Conservation  
**ONTARIO**  
Natural Champions



Warren Fink  
363 Jeremy's Crescent  
Mount Forest, Ontario, N0G 2L3

Tel: 519 323-9796  
FAX 519 323-9797

18 August 2008

Township of Wellington North Committee of Adjustment  
P.O. Box 125  
Kenilworth Ontario, N0G 2E0  
Tel 519 848-3620  
FAX 519 848-3228

**Request for Variance to section 6.27.8 of the zoning by law at 740 Princess Street**

I am asking that this Committee reject this request.

I have some serious concerns that even the minimum requirement of 1.5 parking spaces per unit for this townhouse project is adequate.

This concern centres on where will the excess vehicles from this complex be parked?

On street parking is not a viable option.

I attended the Building Department this date to view a site plan for this property. This development is bordered by two streets, Princess to the north and Martin to the south.

The entrance to this development is very near the crest of a hill on Princess Street. On Martin Street, the entrance is near a curve. Both entrances have limited visibility. Neither street has sidewalks. Overflow vehicles from the townhouse complex parked near these entrances pose a serious and unnecessary traffic hazard.

It is also noted that future development will have a second driveway entrance to the planned nursing home facility just east of the entrance to this townhouse complex. This will result in a significant increase in vehicular traffic, including trucks, necessary to service the two facilities. There will be 3 busy driveways (servicing the existing Saugeen Valley Nursing Home facility, the future townhouse complex and the future nursing facility) and the east intersection with Jeremy's Crescent, all near the top of the hill on Princess Street.

We are a rural society dependent on the automobile. There are no public transportation options. Anyone travelling to the townhouse/nursing home facility will be travelling by automobile. The need for adequate off street parking is obvious.



There is already a significant traffic volume on Princess and Martin Street from people attending the sports fields at Cork and Princess. This facility also generates some pedestrian traffic on Princess and Cork. Once the arena complex is completed at the west end of Princess Street, there will be an increase in traffic on both Princess and Martin Street. This dense residential/institutional complex will increase the traffic volume in this area. Adding vehicles parked on the streets adjacent to residential/institutional facility creates an unnecessary hazard to pedestrian and vehicular traffic in this area.

I have resided on Jeremy's Crescent since 1994. I have watched the area develop. Houses have been constructed on the vacant lots, the sports complex has been developed, a medical centre has been built across from the hospital. I have noticed the resulting increase in traffic volume on the streets in this neighbourhood. The Saugeen Valley Nursing Home itself, frequently draws more vehicles than it has off-street parking spaces. Frequently the overflow has vehicles parked on Dublin Street and Princess Streets for a significant part of the day, limiting visibility at this intersection. These vehicles not only pose a visibility hazard but narrow the roadway for two-way traffic. The only access to the hospital emergency entrance requires that vehicles must travel through the Dublin - Princess Street intersection.

As there are no sidewalks, all pedestrian traffic must use the roadways, this includes users going to and from the sports facilities at the west end of Princess Street, plus wheel chair users from the nursing home and group homes in the area. Vehicles parked on the roadway will force the pedestrians further onto the roadway at locations where visibility is limited. As serious as this is in the summer months, it will be even more hazardous in the winter when the roadways are narrowed by the snowbanks. With the construction of these townhouse units, pedestrian traffic will increase on both Princess and Martin Streets as these new residents access the sports and park facilities in this area.

Recently this municipal council authorized the closing of Dublin Street at Martin Street to address traffic concerns, specifically the lack of off-street parking for the hospital and medical centre, and the hazards posed by the volume of through traffic on Dublin Street between these facilities.

Since this council already recognizes the volume of traffic in this area and the need for off-street parking, it would be inconsistent for this Committee to approve this request to vary the parking requirements of the by-law for this development. If the townhouse project would have been a stand alone facility I would have strongly urged council to increase the number of parking spaces required.

There are alternatives for the developer. On viewing the site plan, most townhouse buildings are 4 residential units. There are at least two building that have 5 units. Converting these two buildings to 4 residential units and using the space to create additional parking spots should easily put this facility in compliance with the minimum parking standards in the by-law.

I understand there may be a proposed agreement between the municipality and the developer to provide overflow parking from the townhouse/nursing facility in the medical

centre parking lot. Adding pedestrian walkways to the townhouses would facilitate the use of this area for excess vehicles.

Future Concerns:

I support the development of this townhouse/ nursing home complex in principle. I have some concerns that the developer will follow through with a facility that is appropriate for the location.

It is noted that there has been a large billboard sign at the south west corner of the intersection of Dublin and Princess Street advertising that this development is "to commence in 2003". This phrase has been painted over. Today I noticed a small sign on 740 Princess Street. This sign is approximately 8 ½ by 11 inches in size and is attached to stake barely visible from the road. This sign gave notice of this request to vary the minimum parking provisions of the by-law. This sign is not readable from a vehicle but only if one stands within 3 feet of the sign. If there was a notice in the Confederate, I did not see it. Had the Township not mailed a notice to our home, we would not have been aware of this request or had an opportunity to provide input.

This developer has had more than 5 years to put this project into effect. I am concerned that the developer would deliberately design this project in contravention of the existing municipal by-laws, then seek a 'minor' variance with very little and almost obscure notice.

In the future phases, will this developer be designing the project in contravention of other by-laws and building codes, then seek future variances?

I understand that the developer is in business to make profit, but it should not be at the expense of the community at large.


I would have hoped that this Committee would have rejected this variance without additional public input. As pointed out to me during discussions with municipal representatives regarding the closing of Dublin Street at Martin Street, we expect our council to consider the 'greater good' for the community when making decisions.

The greater good will not be accomplished by granting this request for variance.

Notice of Decision:

I request to be advised of the decision of the Committee of Adjustment.

I have an employment commitment which prevents me from attending the Committee meeting on 18 August 2008 at 7:10pm.



/waf

Aug. 18 - 2008

To whom it may concern.

Thelma & Bob Rowse

749 Princess St, Mt Forest, Ont. N0B 2L3

We agree that Section 6.22.8 of the zoning  
by-law be upheld and 74 parking spaces maintained  
and not reduced to 61.

Robert Rowse

Thelma Rowse

R.R. #1  
Formosa Ontario  
N0G 1W0

August 18, 2008

Township of Wellington North  
Kenilworth Ontario  
N0G 2L0

Re: Proposed zoning by-law and minor variance, 740 Princess Street, Mount Forest

I am sorry to record with you that I cannot support these proposals as presented, and intend to object to these applications.

I am the southerly adjacent neighbour, and I am still frustrated by the Mount Forest approval of the adjacent VandenBroek subdivision where water from rear yard grading and eavestroughs still flows onto my property creating wet areas, and neighbours have expanded their rear yards onto my property.

In my opinion, it is reasonable to have assurance from the Township that there is a stormwater management plan so that no additional water goes onto my property. If you felt inclined to rectify my problem from the last time you approved development next door, that would be nice too.

It is reasonable, considering the nature of this development adjacent to single family residences, to require a solid wooden decorative fence of tongue-and-groove board construction, to the south and westerly sides for the benefit of all neighbours, and this should be a condition of Township approval prior to starting construction activity. In the case of the southern boundary, this would be along that boundary between the existing mature trees on the line, which should remain.

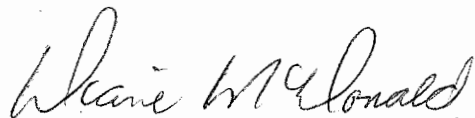
This development was presented to me as an adult-only complex, but I see no reference to that limited use and it concerns me to have a reduction in minimum of parking space where use by people / families of all ages is permitted, and parking spaces are potentially inadequate. An undertaking by the owner to define this project as Senior / Adult only / 50 plus etc. would confirm the previous undertakings.

I understand that present zoning for the property is R3 -2 and the Notice does not explain what that provides. This rezoning makes no reference to use of the land for nursing or retirement home which, if this is also to proceed, considerably adds to traffic, and so I am interested in overall plans here, including as to whether or not there is an independent

justification report to justify this parking proposal? If not, I am interested to see written comments from Planning Department as to this application.

I would prefer that my concerns be resolved according to Township direction in approving this by-law; however, I wish to notify you at this point that I intend to object unless these issues can be resolved.

Yours truly,

A handwritten signature in cursive script that reads "Diane McDonald".

Diane McDonald, President  
Betty-Dee Limited

Warren Fink  
363 Jeremy's Crescent  
Mount Forest, Ontario, N0G 2L3  
Tel 519 323-9796  
FAX 519 323-9797

Township of Wellington North Committee of Adjustment  
P.O. Box 125  
Kenilworth, Ontario, N0G 2E0  
Tel 519 848-3620  
FAX 519 848-3328

**Request for variance to section 6.27.8 of the zoning by law at 740 Princess Street**

Further to my correspondence of 18 August 2008, I add the following comments.

This phase of the developer's project should not be viewed in isolation. As I understand the project there will be a townhouse section and a nursing home facility. The existing Saugeen Valley Nursing Home structure is to become an apartment building.

These developments will significantly increase the population density in this area. There will be considerable vehicular traffic generated by the residents of the townhouse and apartment facilities. There will be vehicular traffic from the staff of the nursing home and a significant increase in truck traffic to service the nursing home.

In addition to my previously noted concerns about traffic to and from the sports facilities at the west end of Princess Street, I understand that there is vacant property on Cork Street for future residential development, including multi unit residential buildings. Construction and occupancy of these areas will add to the traffic volumes on Princess, and Martin Streets.

These factors stress the need for this developer to provide adequate off street parking for all three phases of this development. I have noted that recently vehicles have frequently been parked on the grass on the south west part of the intersection of Princess and Cork near the billboard. Several of these vehicles have been parked on Dublin Street in the past, so it is assumed the occupants are staff or visitors to the Saugeen Valley Nursing Home.

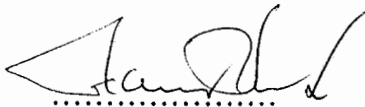
It is anticipated that the residents of the townhouse complex will be mostly older adults. It is expected that visitors will arrive by automobile, and will want to park as close to their destination as possible. I have observed that in other similar developments where parking is limited at each residential unit, that the developer has provided visitor parking areas throughout the complex. I did not see anything similar in the site plan.

As a potential candidate for future residency in the townhouse complex, I would hope that the developer would provide this feature as an attraction to residents.

I must repeat my concern that vehicles parked on Princess Street and Martin Street pose an unnecessary risk. Simply prohibiting parking in this area is not an adequate solution. There must be a reasonable location for the vehicles to be parked off street.

The by-law creates a *minimum* standard for parking. I urge this committee to recommend more than the 1.5 spaces per unit for this townhouse phase, unless the developer can clearly demonstrate that peak parking needs can be met with parking facilities shared between the townhouse and nursing home phases.

For your consideration,

A handwritten signature in black ink, appearing to be 'Waf', written over a dotted line.

/waf

September 4, 2008

Mayor Mike Broomhead and Council  
Township of Wellington North  
Kenilworth ON N0G 2E0

Re: Minor Variance & Zoning By-Law Applications  
740 Princess Street, Mount Forest

Dear Sir:

This is to record my continuing concern about reduction in parking spaces in the proposed high density townhouse development at this location. I am disappointed that previous statements made publicly by the developer and to me personally referred to this as a high-end seniors' project but there is no limiting language in the application re. "adults only" which could result in residency by families with children, etc., creating need for more parking space; and until the applicant is prepared to provide this limitation of use wording in the proposed applications, I see this as a potential problem for all neighbours, and I object to this Minor Variance application as proposed.

It seems unreasonable to me for the applicant to say that there is more overflow parking at the future nursing home complex to be constructed, when these spaces are allocated to that facility and may not be available.

I did receive Notice of the Minor Variance rescheduled hearing, but I did not receive a similar notice for the rezoning matter. My concerns regarding the project, which are obviously on the minds of others, are that this high density proposal may lead to trespass including encroachment or walking over adjacent lands as well as discharge of stormwater onto my property. My request was that the Township require that the border adjoining my property be subject to solid fencing prior to the start of any construction, and it would be fair to require that for neighbours on the westerly side who are also concerned.

Attached are photos of the backyards of houses which abut my property from what was originally known as the VandenBroek subdivision. These show rear yard grading which directs water onto my property, and I encourage Council to walk along the rear of these houses to see the result of a previously approved stormwater management plan by the town engineers, accepted by the municipality. Please note the numerous encroachments which justify my request for fencing to contain a higher density project. My recollection is that the current engineers for the municipality approved this project and as you can see from grading and

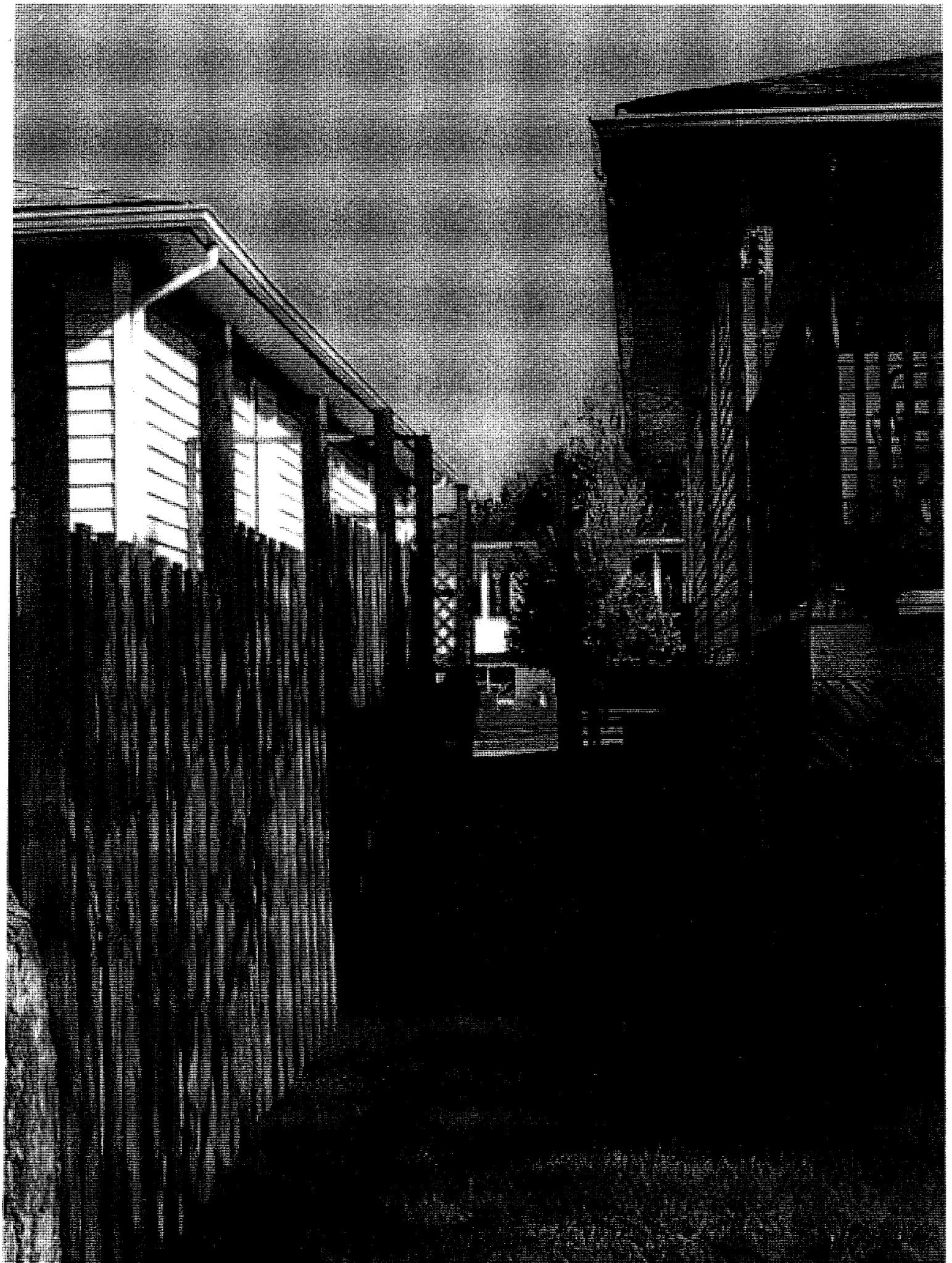


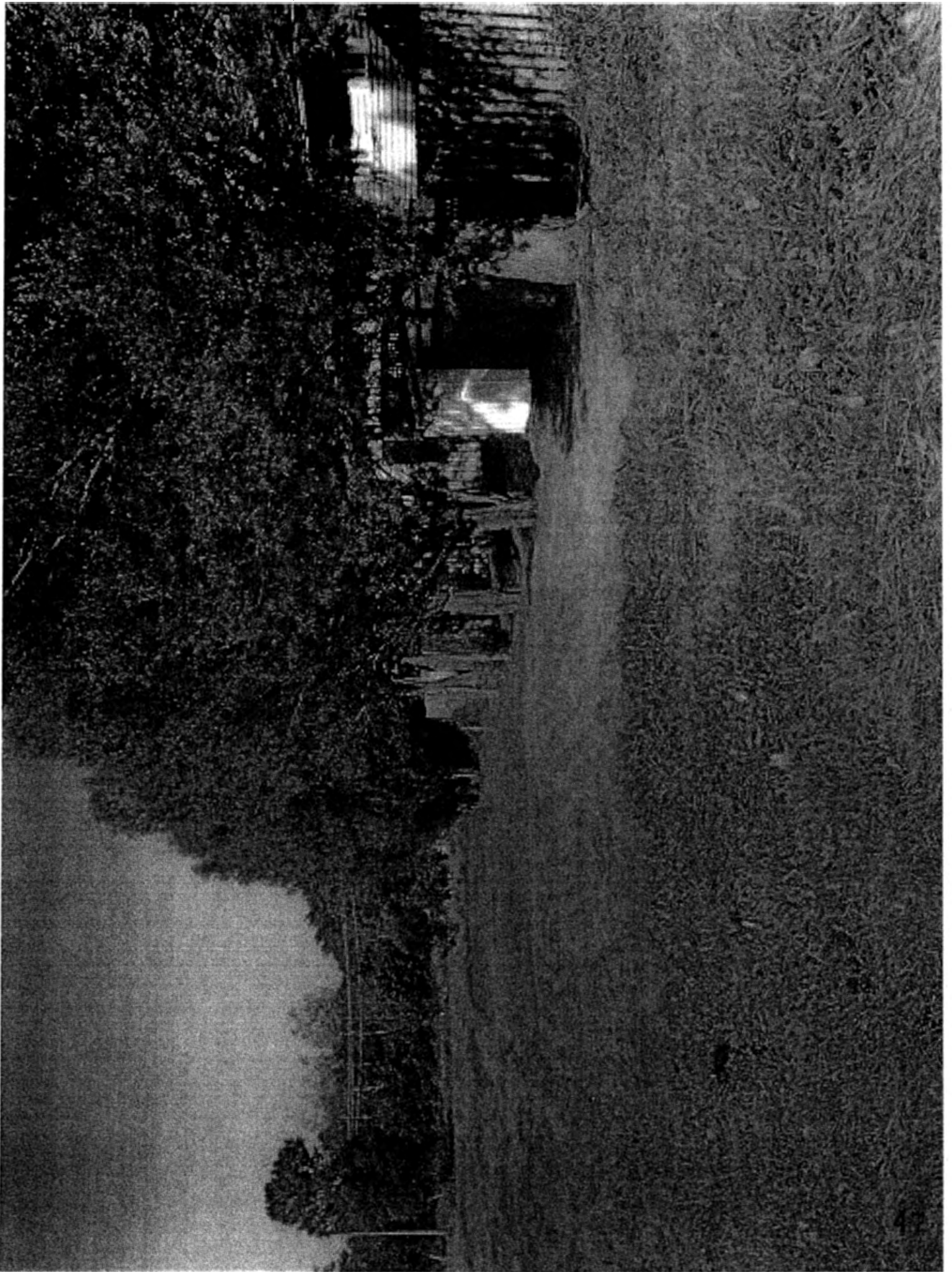
eavestroughs, water is directed onto my property. These stormwater issues have never been addressed, and that is the basis for my request that Wellington North give an undertaking that there will be no stormwater flow from the proposed project onto neighbouring lands.

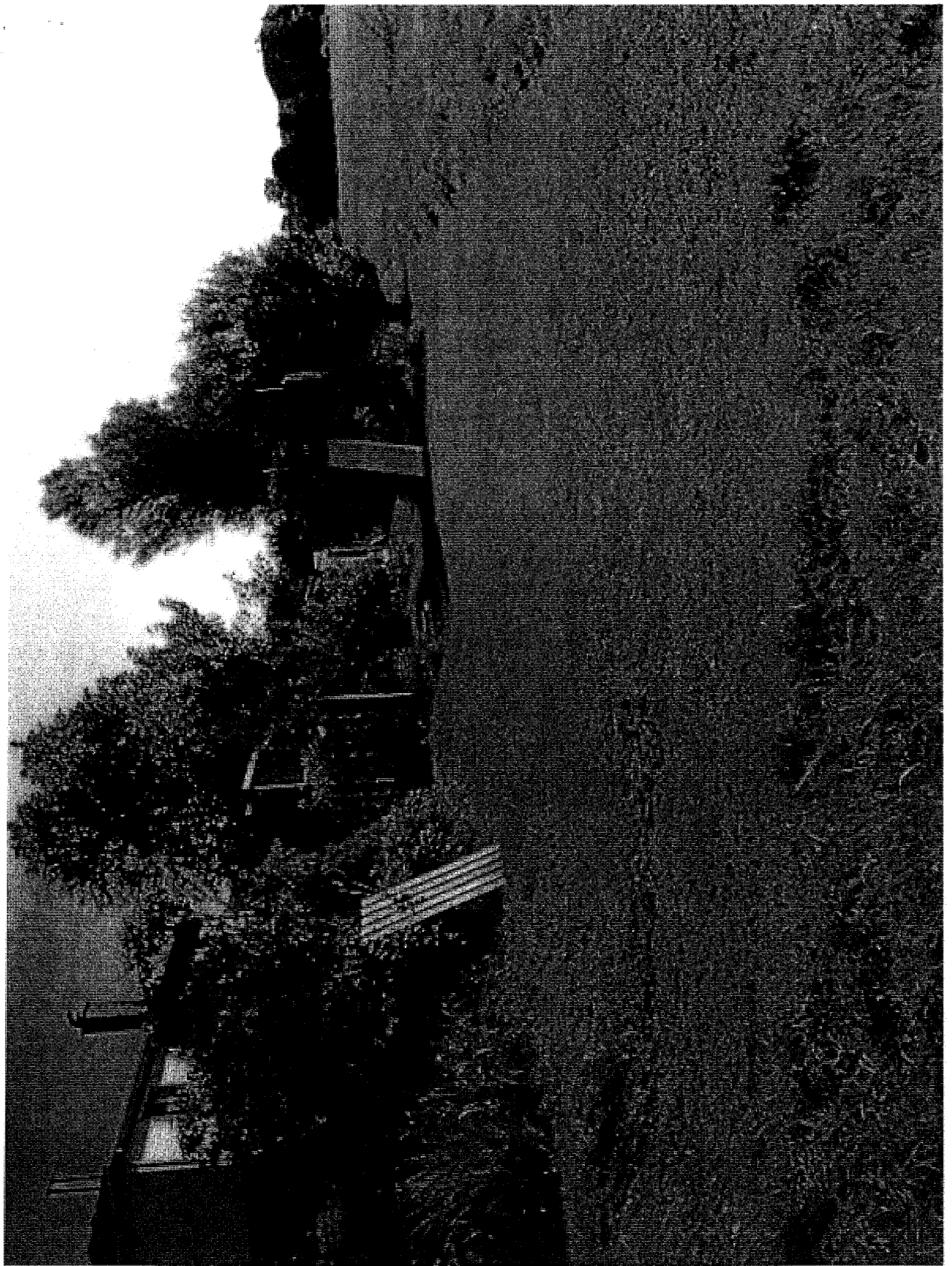
Thank you for your time and consideration in this matter.

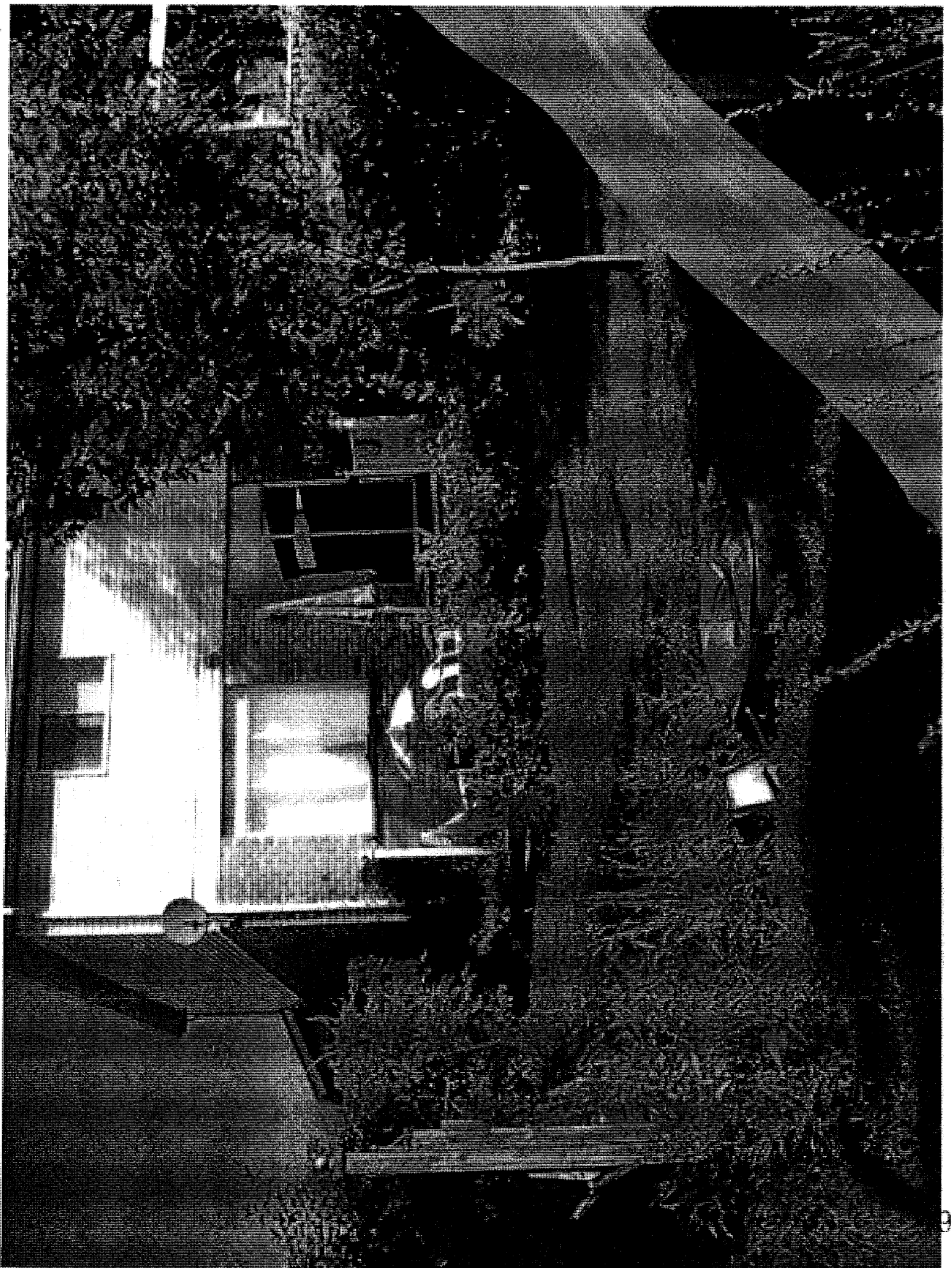
Yours Truly,

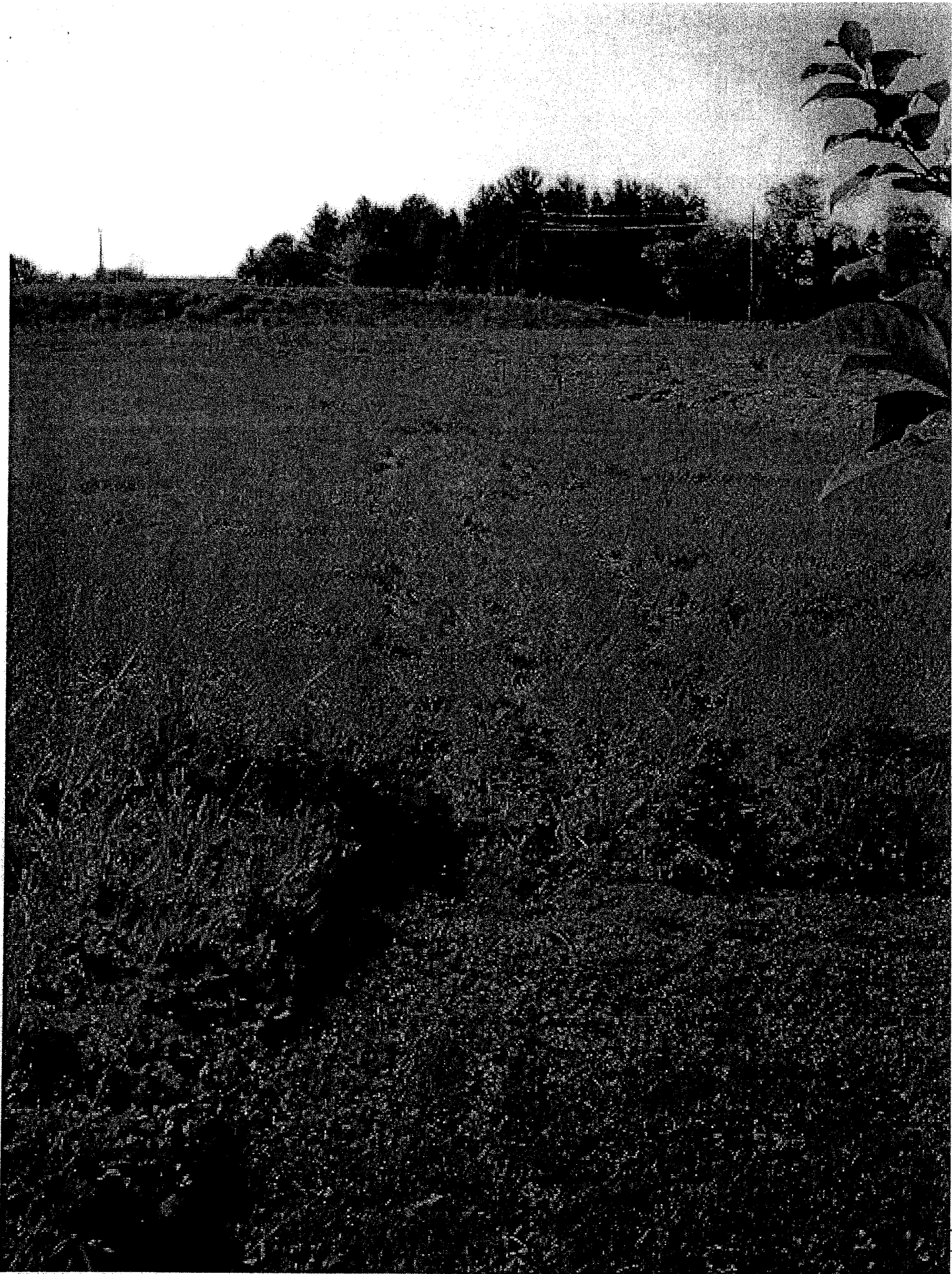
Diane McDonald  
BETTY DEE LIMITED

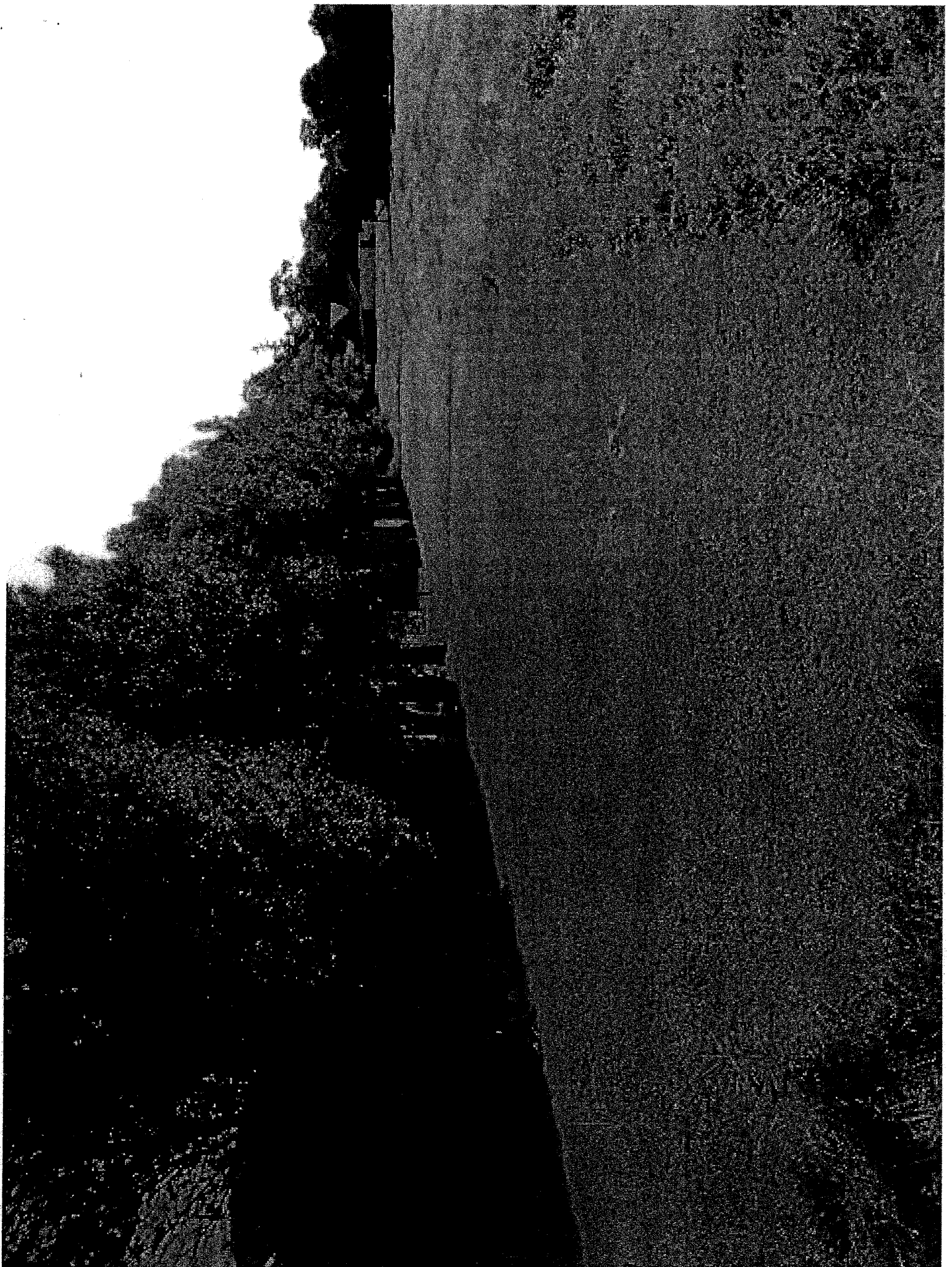


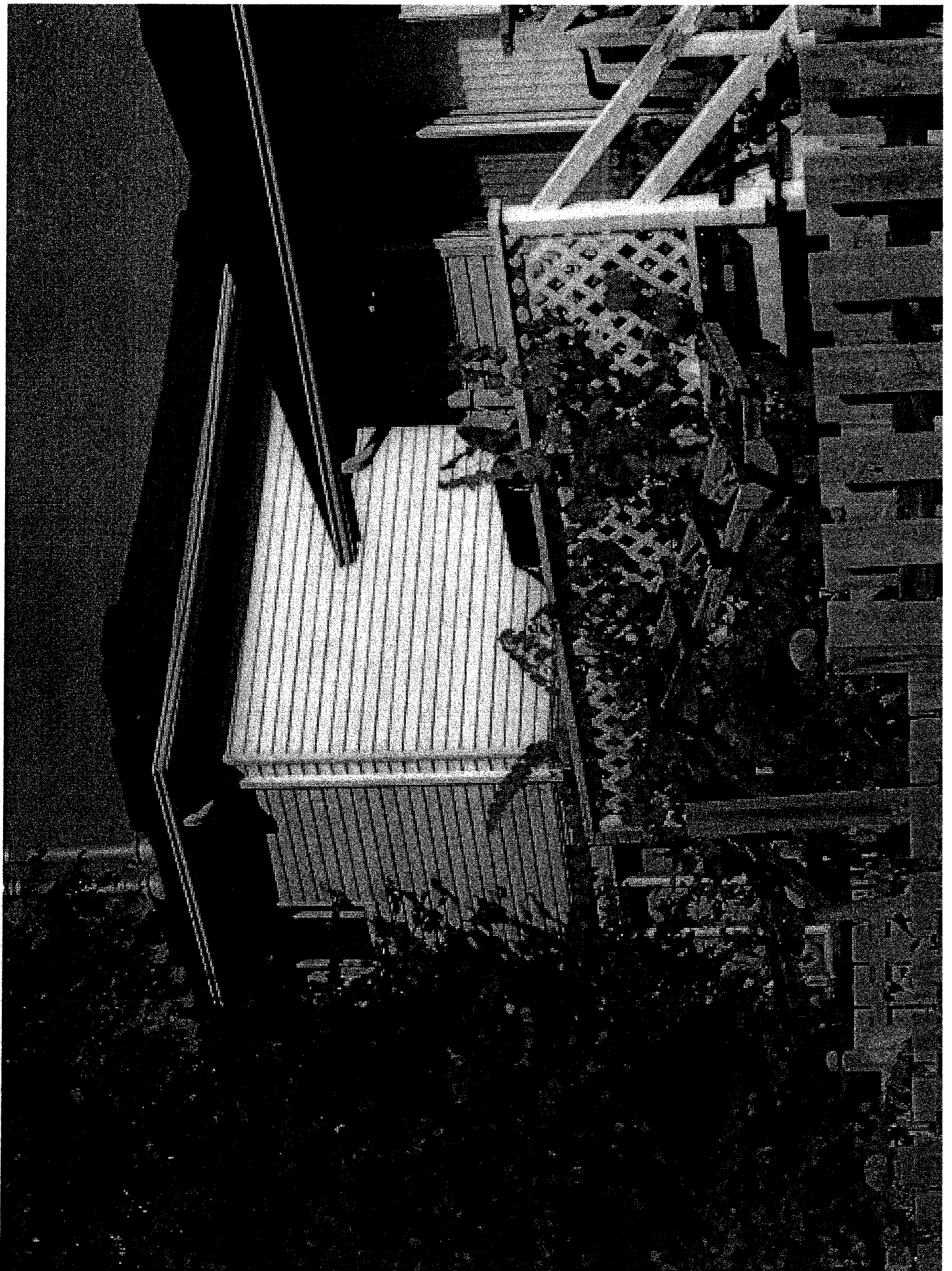




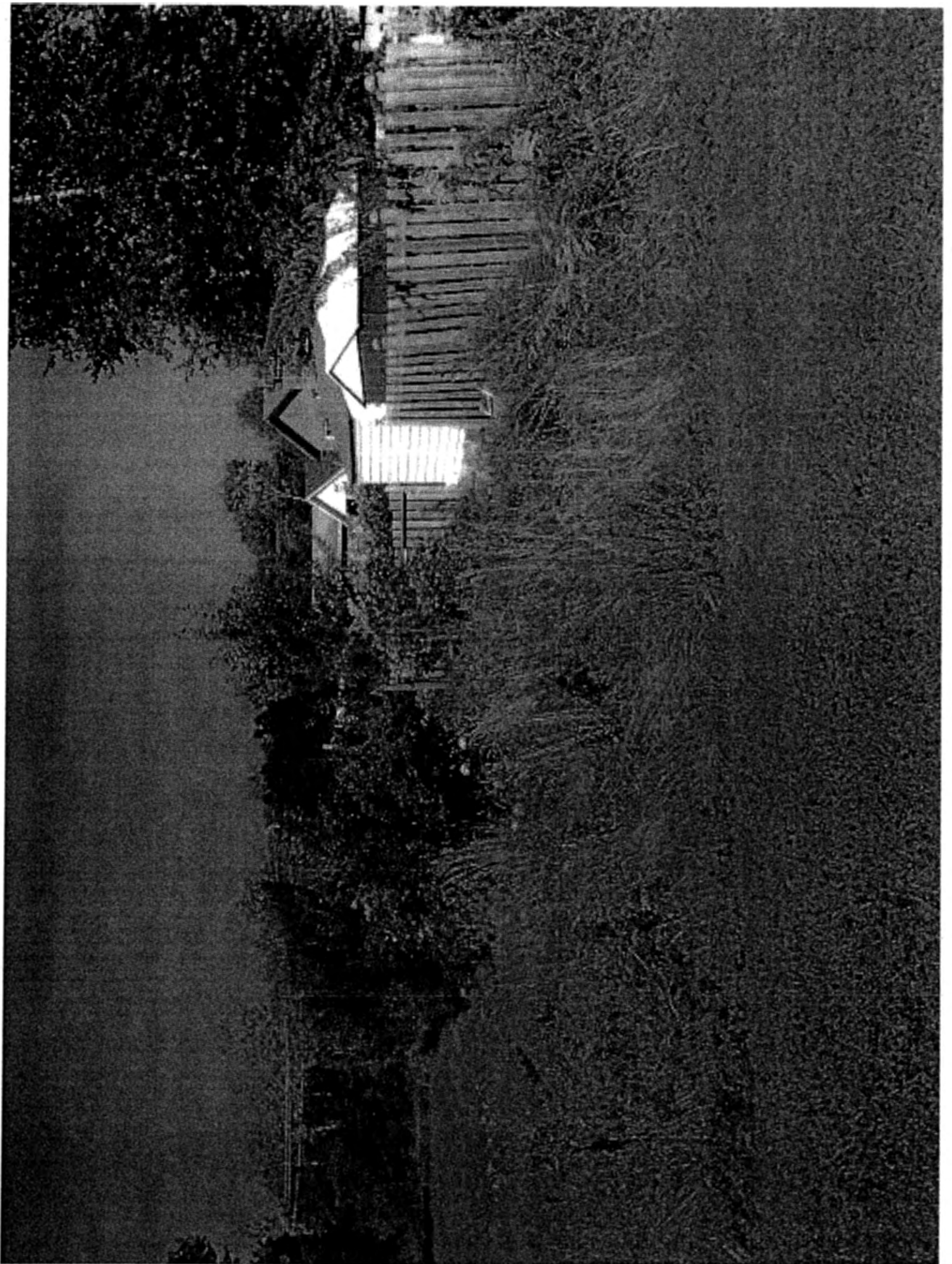


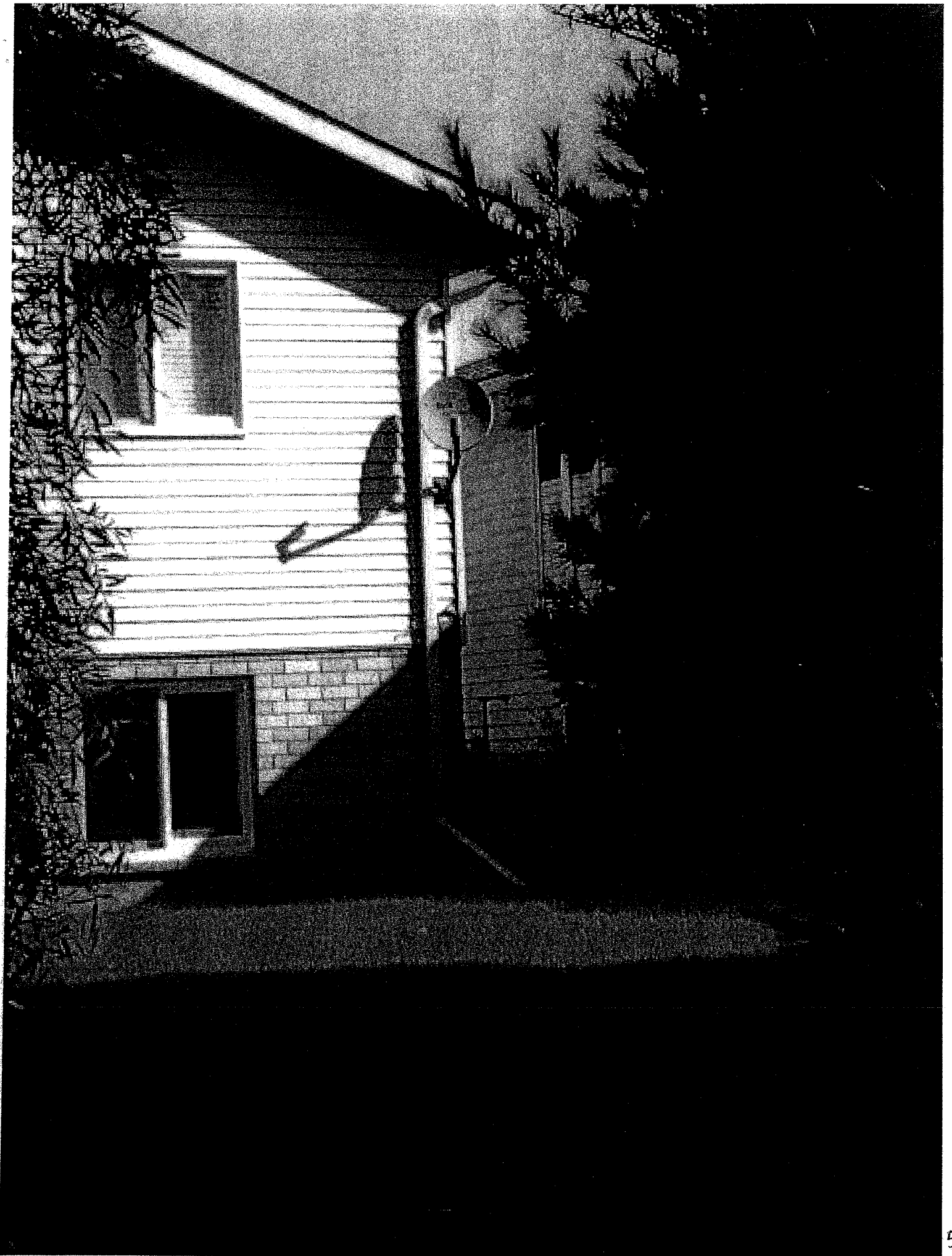













Secretary-Treasurer of the Committee  
Township of Wellington North  
Committee of Adjustment  
P.O. Box 125  
Kenilworth, On  
N0G 2E0

In regards to the request for relief of required parking spaces for the subject property Pt Park Lot 7 & 6 plan 61R8529 municipally known as 740 Princess Street Mount Forest.

We Leon and Josie Vandepas are not in favor of allowing relief of the required amount of parking spaces being 1.5 per unit.

  
\_\_\_\_\_  
Leon Vandepas

  
\_\_\_\_\_  
Josie Vandepas