

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

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APPLICATION A2/13

Applicant: Sandor, Linda, Thomas and Catherine Bedo

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 21, Concession 1, with a civic address of 8808 Wellington Road 14. The property is approximately 5 ha (12 ac.) in size and occupied by a residential dwelling and detached garage. is described as Part Lot 5, with a civic address of 7902 Wellington Road 109 in the Village of Arthur.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.1.4 of the Wellington North Zoning By-law regulating the maximum ground floor area for an accessory building of a residential use. The applicant is proposing to construct a 360 sq.m (3875 sq.ft.) shed to be used for personal storage which exceeds the maximum allowable ground floor area of 213 sq.m. (2300 sq. ft.) for a lot of 12 acres. The property is located in an Agricultural (A) zone.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on April 30, 2013 as well as posted on the property.
5. Linda Redmond, Township Planner, reviewed her comments dated April 24, 2013.

The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a residential lot. The applicant is proposing to construct a 360 sq.m (3875 sq.ft.) shed to be used for personal storage. The proposed structure combined with the existing garage creates a combined floor area of 4684.3 sq.ft. The maximum allowable ground floor area permitted for this 12 acres parcel is 213 sq.m. (2300 sq. ft.). The property is located in an Agricultural (A) zone.

The Committee should be satisfied that the 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 structure will be for personal storage only and not for commercial or residential purposes except as permitted and regulated under the home industry criteria as outlined in section 6.14.

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The subject property is designated Prime Agricultural under the Wellington County 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 should 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 Agricultural (A). The applicants are proposing to construct 360.2 sq.m (3877 sq.ft.) accessory structure for storage. The property has an existing 807 sq.ft. detached garage on the property currently. The combined floor area will be 4684.3 sq.ft. The zoning by-law limits the size of all accessory structures on rural residential properties. As such, the following relief is required:

1. To allow a combined area of 435 m² (4684.3 sq.ft) for accessory structures, whereas the by-law allows a maximum of 213 m² (2300 sq.ft.) for all accessory structures.

Section 5.3 of the by-law defines “accessory” as “a use, building or structure which is incidental, subordinate, and exclusively devoted to the main use, building or structure located on the same lot and in the same zone as such use, building or structure and which is not used or intended for use as human habitation unless permitted by the provisions of certain zones of this By-law. The intent of an accessory structure is one which is clearly secondary and devoted to the main permitted use and should not be used for gain or profit or for human habitation.

6. Correspondence/Comments received:

- None received

7. Questions/Comments

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

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The Applicants and their agent were present to answer any questions regarding the application.

Vince Starratt, solicitor and agent for the applicant, explained that the property had been owned by Sandor Bedo's parents for approximately 30 years. They sold the property and after 10 years the property was recently for sale again. The Bedo's have purchased the property and intend to keep it in the family. They would like to build a storage building for their car and tractor hobby. This is not for retail use, it is strictly for their hobby.

Persons present who wish 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

- None

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT the minor variance applied for in Application A2/13 be authorized.

Resolution No. 2

Carried

8. Adjournment (7:09 p.m.)

Moved by: Councillor Yake

Seconded by: Councillor Goetz

That the Committee of Adjustment meeting of May 13, 2013 be adjourned.

Resolution No. 3

Carried