



# Township of Wellington North

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

## Committee of Adjustment

Monday, May 13th, 2013 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

## AGENDA

Page 1 of 2

AGENDA ITEM	PAGE NO.
<b>Chairman</b>	
1. Officially open the public meeting.	1
2. Declaration of Pecuniary Interest and General Nature Thereof.	1
3. Minutes, A4/12 (attached)	2
<b><u>APPLICATION A2/13</u></b>	
<b>Owners/Applicant: Sandor, Linda, Thomas and Catherine Bedo</b>	
<b>THE LOCATION OF THE SUBJECT PROPERTY</b> 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. The location of the property is shown on the map attached.	
<b>THE PURPOSE AND EFFECT OF THE APPLICATION</b> 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. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on April 30th, 2013 as well as posted on the property.	
5. Application for a Minor Variance	6
6. Township Planner – Linda Redmond will review the County comments (attached).	13

AGENDA ITEM	PAGE NO.
<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>9. Adjournment</p>	



TOWNSHIP OF WELLINGTON NORTH

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A4/12

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APPLICATION A4/12

**Applicant: Ronald Detoro and Deborah Detoro**

THE LOCATION OF THE SUBJECT PROPERTY 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 1,760 sq. ft. accessory garage, which exceeds the maximum ground floor area of 1,000 sq. ft. in the zoning by-law. The property is located in the Residential (R3-H) zone.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on October 3, 2012 as well as posted on the property.
5. Mark Van Patter, Township Planner, reviewed his comments dated October 4, 2012.

Given the size of the subject property and the setback from the neighbour to the south, the impact of the relief requested appears to be minor in nature, however, the Committee should be satisfied that the accessory building is intended for personal use and not for commercial purposes.

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

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A4/12

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Under the Wellington North Zoning By-law the subject lands are zoned Residential Holding (R3-H). The property is currently occupied by a residence. The applicants are proposing to construct a accessory building that will be 163.5 sq.m. (1,760 sq.ft.) in size. The application states that the proposed shed is to be used for the storage of antique automobiles, boats, snowmobiles and automobile hobby. I am assuming this latter use is a personal shop for personal hobby. The following relief from the Zoning By-law is required:

1. A total floor area of 163.5 sq. m (1,760 sq.ft.) whereas section 6.1.4 ii) of the by-law allows a maximum floor area of 92.9 m<sup>2</sup> (1000 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.

The impact on the immediate area of this property appears to be minimal. The property is approximately 3.48 acres in size and will be setback 76 feet from the rear property line of the lot to the south.

6. Correspondence/Comments received:
  - Grand River Conservation Authority
  - No objections

7. Questions/Comments

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

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

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A4/12

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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

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT the minor variance applied for in Application A4/12 be authorized.*

**Resolution No. 2**

**Carried**

8. Adjournment (7:23 p.m.)

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*That the Committee of Adjustment meeting of October 15, 2012 be adjourned.*

**Resolution No. 3**

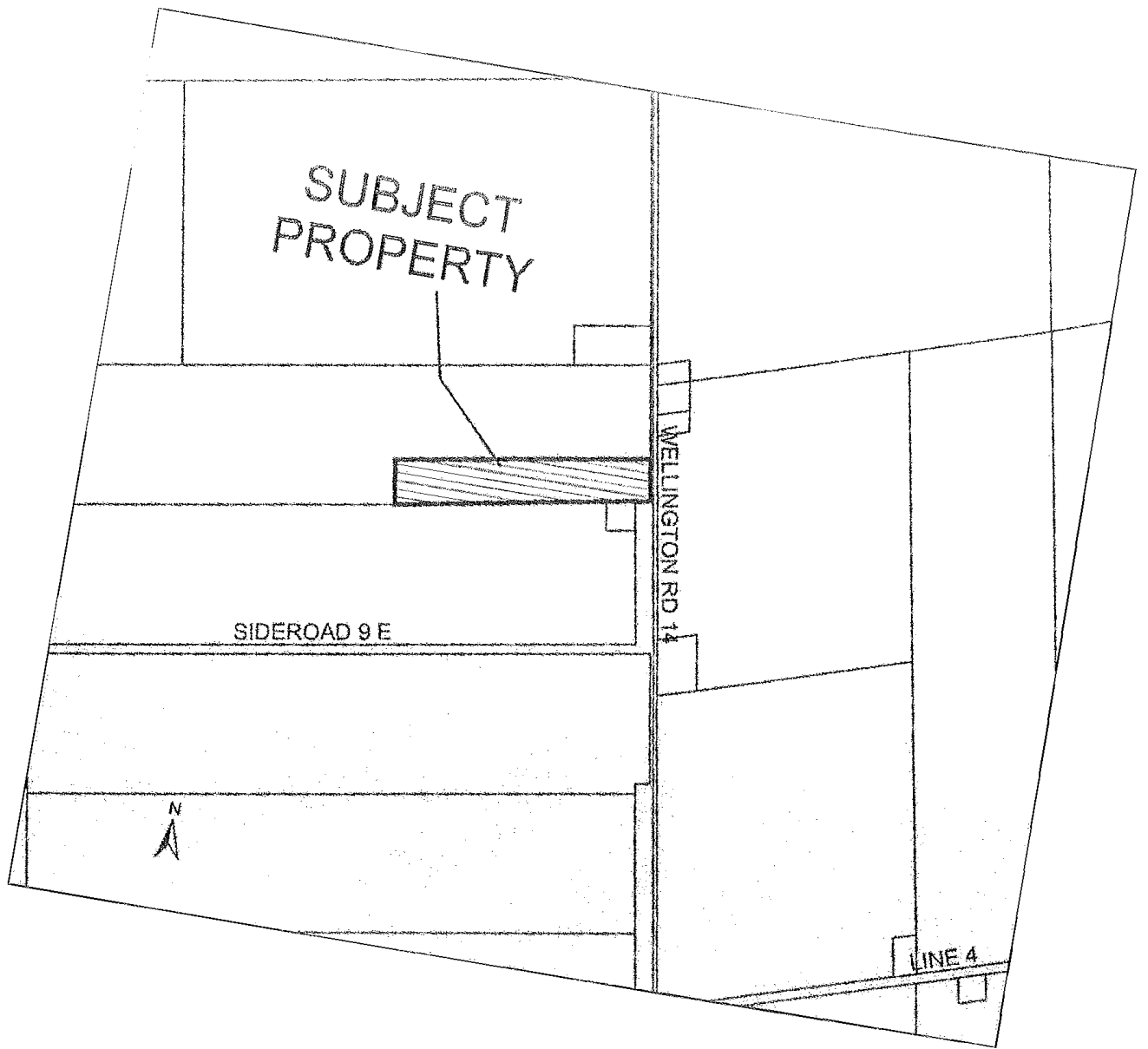
**Carried**

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Secretary Treasurer

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Chairman





# TOWNSHIP OF WELLINGTON NORTH

## APPLICATION FOR A MINOR VARIANCE

Date Received: April 11, 2013

File Number: A 02113 Roll # 23-49-000-007-01600-0000

Date Application Filed: \_\_\_\_\_ Application Fee Received: \$ 750.00

### A. GENERAL INFORMATION

**1.\* APPLICANT INFORMATION**

a)\* Registered Owner's Name(s): Sandor Bedo, Linda Bedo, Thomas Bedo, Catherine Bedo

Address: 8808 Wellington Road 14, R.R. #2, Arthur, Ontario N0G 1A0

Phone: Home (519) 843-4681 Work ( ) Fax \_\_\_\_\_

Email: \_\_\_\_\_

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

b)\* Applicant (Agent) Name(s): Sandor Bedo, Linda Bedo, Thomas Bedo, Catherine Bedo

Address: 8808 Wellington Road 14, R.R. #2, Arthur, Ontario N0G 1A0

Phone: Home (519) 843-4681 Work ( ) Fax ( ) \_\_\_\_\_

Email: \_\_\_\_\_

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

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

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

Measurements are in: Metric [  ] Imperial [  ] units

Municipal Address: 8808 Wellington Road 14, R.R. #2, Arthur, Ontario N0G 1A0

Concession: 1 Lot: 21 Registered Plan No.: \_\_\_\_\_

Area: 5 h Depth: 54.8m Frontage (Width): 91m 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.

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

Official Plan Designation: Prime Agricultural

Zoning: Agricultural

**B. EXSTING 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 [ ]

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

County Road 14

**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)

Owners wish to build a drive shed 360 m2

The zoning by-law permits a 1000 square foot building under section 6.1.4(ii)

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

(Please specifically indicate on sketch)

The owners require this size of building for storage

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

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

a) THE SUBJECT PROPERTY? Agricultural

b) THE ABUTTING PROPERTIES? Agricultural

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

	<u>Existing</u>	<u>Proposed</u>		<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	_____	_____	b) Main Building Height	_____	_____
c) % Lot Coverage	_____	_____	d) # of Parking Spaces	_____	_____
e) # of Loading Space(s)	_____	_____	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) SEE SCHEDULE ATTACHED

Measurements are in: Metric [ ] Imperial [ ] units

	<u>Existing</u>	<u>Proposed</u>		<u>Existing</u>	<u>Proposed</u>
a) Front Yard	_____	_____	b) Side Yards	_____	_____
c) Rear Yard	_____	_____			

13.\* DATE OF ACQUISITION OF SUBJECT PROPERTY: September 26, 2012  
 DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: house 1900  
garage 2003

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?  
 \_\_\_\_\_

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) Sandor Bedo, Linda Bedo, Thomas Bedo and Catherine Bedo of the \_\_\_\_\_ of \_\_\_\_\_,

Township of Wellington North

County/Region of \_\_\_\_\_ do hereby authorize Vincent J. Starratt to act as my agent in this application.

[Handwritten signatures]  
Signature of Owner(s) Bedo

April 8, 2013  
Date

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

I (we) Sanodr Bedo, Linda Bedo, Thomas Bedo and Catherine Bedo of the \_\_\_\_\_ of \_\_\_\_\_,

County/Region of \_\_\_\_\_ 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 Centre Wellington in the County of

Wellington this 9<sup>th</sup> day of April, 2013.

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

04/09/13  
Date

[Handwritten signature]  
Signature of Commissioner

04/09/13  
Date

Malora Diane Whitman, a Commissioner, etc.,  
Province of Ontario for Grant & Acheson in  
Partnership with SmithValeriotte Law Firm LLP  
Expires November 30, 2014.

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

[Handwritten signature]  
Signature of Municipal Employee

April 11, 2013  
Date

SCHEDULE TO MINOR VARIANCE

SEE SKETCH ATTACHED

11.

**Existing:**

- |                         |   |                |
|-------------------------|---|----------------|
| a) Type of Building     | - | House          |
| b) Main Building Height | - | not applicable |
| c) % Lot Coverage       | - | not applicable |
| d) # of Parking Spaces  | - | not applicable |
| e) # of Loading Spaces  | - | not applicable |
| f) Number of Floors     | - | not applicable |
| g) Total Floor Area     | - | not applicable |
| h) Ground Floor Area    | - | not applicable |

**Existing:**

- |                         |   |                |
|-------------------------|---|----------------|
| a) Type of Building     | - | Garage         |
| b) Main Building Height | - | not applicable |
| c) % Lot Coverage       | - | not applicable |
| d) # of Parking Spaces  | - | not applicable |
| e) # of Loading Spaces  | - | not applicable |
| f) Number of Floors     | - | not applicable |
| g) Total Floor Area     | - | 75m2           |
| h) Ground Floor Area    | - | 75m2           |

**Existing:**

- |                         |   |                |
|-------------------------|---|----------------|
| a) Type of Building     | - | Lean -To       |
| b) Main Building Height | - | not applicable |
| c) % Lot Coverage       | - | not applicable |
| d) # of Parking Spaces  | - | not applicable |
| e) # of Loading Spaces  | - | not applicable |
| f) Number of Floors     | - | not applicable |
| g) Total Floor Area     | - | 40m2           |
| h) Ground Floor Area    | - | 40m2           |

**Proposed:**

- |                         |   |                  |
|-------------------------|---|------------------|
| a) Type of Building     | - | Storage Building |
| b) Main Building Height | - | not applicable   |
| c) % Lot Coverage       | - | not applicable   |
| d) # of Parking Spaces  | - | not applicable   |
| e) # of Loading Spaces  | - | not applicable   |
| f) Number of Floors     | - | not applicable   |
| g) Total Floor Area     | - | 360.2m2          |
| h) Ground Floor Area    | - | 360.2m2          |

SEE SKETCH ATTACHED

12.

Existing:

House

- |               |   |                        |
|---------------|---|------------------------|
| a) Front Yard | - | 90 metres more or less |
| b) Side Yards | - | 31 metres more or less |
| c) Rear Yard  | - |                        |

Existing:

Garage

- |               |   |                         |
|---------------|---|-------------------------|
| a) Front Yard | - | 100 metres more or less |
| b) Side Yards | - | 17 metres more or less  |
| c) Rear Yard  | - |                         |

Proposed:

Storage Shed

- |               |   |                         |
|---------------|---|-------------------------|
| a) Front Yard | - | 140 metres more or less |
| b) Side Yards | - | 4 metres more or less   |
| c) Rear Yard  | - |                         |

**MINOR VARIANCE SKETCH  
PART OF LOT 21, CONCESSION 1  
GEOGRAPHIC TOWNSHIP OF ARTHUR  
TOWNSHIP OF WELLINGTON NORTH  
COUNTY OF WELLINGTON**

SCALE 1 : 2000



VAN HARTEN SURVEYING INC.

WELLINGTON COUNTY ROAD No. 14  
ROAD ALLOWANCE BETWEEN TOWNSHIPS OF ARTHUR & WEST LUTHER

PIN 71091 - 0083 (LT)

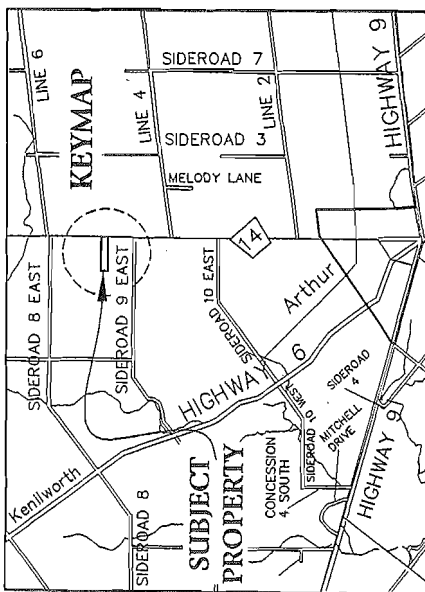
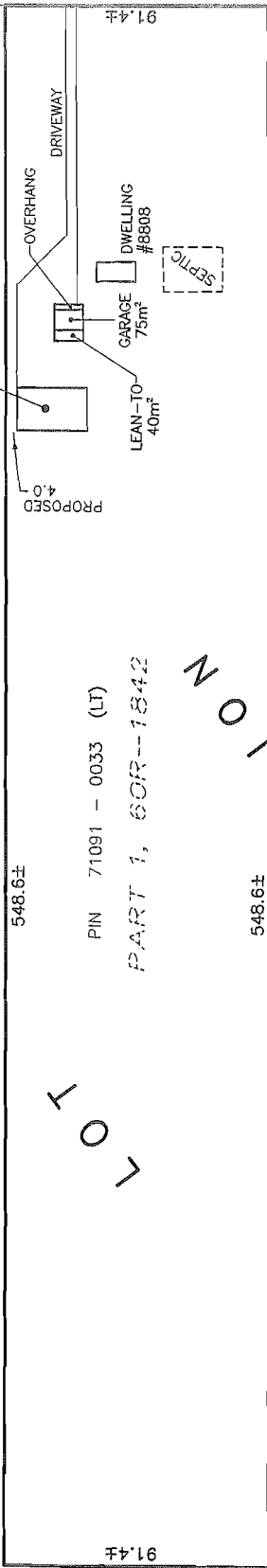
PIN 71091 - 0033 (LT)

PART 1, 60R--1842

PIN 71091 - 0034 (LT)

ROAD WIDENING  
BY EXPROPRIATION  
PIN 71106-0041(LT)

PART 1,  
60R--1479  
PIN 71091-0035(LT)



**SURVEYOR'S CERTIFICATE**

THIS SKETCH WAS PREPARED  
ON THE 21st DAY OF MARCH, 2013.

*Jeffrey E. Buisman*  
JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

Mar 21, 2013--3:08pm  
G:\ARTHUR\CON 1\ACAD\MINOR VARIANCE SKETCH (SANDOR).dwg



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET  
GUELPH, ONTARIO N1H 3X3  
PHONE: 519-821-2763  
FAX: 519-821-2770  
www.vanharten.com

660 RIDDELL ROAD, UNIT 1  
ORANGEVILLE, ONTARIO L9W 5G5  
PHONE: 519-940-4110  
FAX: 519-940-4113  
www.vanharten.com

DRAWN BY: N.C.H. CHECKED BY: J.E.B. PROJECT No: 21145-12



## 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 24, 2013

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 A2/13**  
**Pt Lot 21, Concession 1**  
**8808 Wellington Road 14**  
**Bedo**

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

**Planning Opinion:**

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.

**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 (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 m<sup>2</sup> (4684.3 sq.ft) for accessory structures, whereas the by-law allows a maximum of 213 m<sup>2</sup> (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.

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

Yours truly,

A handwritten signature in cursive script, appearing to read "L. Redmond".

Linda Redmond, B.A.  
Senior Planner