



7490 Sideroad 7 W, PO Box 125,
Kenilworth, ON N0G 2E0

www.wellington-north.com

519.848.3620

1.866.848.3620 FAX 519.848.3228

Plan to
Simply Explore.

www.simplyexplore.ca

Committee of Adjustment

Tuesday, May 23, 2017

7:00 p.m.

Plume Room, Mount Forest Sports Complex

A G E N D A

AGENDA ITEM	PAGE NO.
<u>CALLING TO ORDER</u>	
- Chairman Lennox	
<u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u>	
<u>MINUTES OF PREVIOUS MEETING(S)</u>	
Committee of Adjustment, April 24th, 2017 (A04-17)	1
<u>APPLICATION A05-17</u>	
<u>OWNERS/APPLICANT</u>	
- Kenneth Smith	
<u>LOCATION OF THE SUBJECT LAND</u>	
The location of the subject property is described as Part Lot 5, Concession 9, Registered Plan 61R-8761, geographic township of West Luther and has a civic address of 8220 Line 8. The subject land is approximately 6.27 ha (15.5 acres). The location of the property is shown on the map attached.	5

AGENDA ITEM	PAGE NO.
<p data-bbox="188 279 1024 317"><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p data-bbox="188 359 1271 499">The purpose and effect of the application is to provide relief from the maximum floor area requirements for accessory structures. The applicant is requesting permission to construct a 464 m² (5000 ft²) agricultural shed. Other variances may be considered where deemed necessary.</p> <p data-bbox="188 541 659 579"><u>SECRETARY TREASURER</u></p> <p data-bbox="188 621 1271 726">Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on May 11th, 2017.</p> <p data-bbox="188 768 505 806"><u>PRESENTATIONS</u></p> <p data-bbox="188 848 708 915">Elizabeth Martelluzzi, Junior Planner - See attached comments</p> <p data-bbox="188 957 1073 995"><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p data-bbox="237 1037 367 1062">- None.</p> <p data-bbox="188 1104 857 1142"><u>REQUEST FOR NOTICE OF DECISION</u></p> <p data-bbox="188 1184 1255 1251">Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p> <p data-bbox="188 1293 849 1373"><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p data-bbox="188 1415 1146 1482">Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p data-bbox="188 1524 1146 1591">Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p data-bbox="188 1633 1073 1671"><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p> <p data-bbox="188 1713 480 1751"><u>ADJOURNMENT</u></p>	<p data-bbox="1369 831 1390 856">6</p>

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 24, 2017 – 7:00 P.M.
A04/17**

The Committee of Adjustment met at the Kenilworth Municipal Office Council Chambers.

Members Present: Chairman: Andy Lennox
Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake

Also Present: Secretary-Treasurer, Clerk: Karren Wallace
CAO/Deputy Clerk: Michael Givens
Executive Assistant: Cathy Conrad
Treasurer: Kimberly Henderson
Interim Director of Public Works: Derek McCaughan
Economic Development Officer: Dale Small
Fire Chief: Dave Guilbault
Senior Planner: Linda Redmond

THE CHAIRMAN CALLED THE MEETING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

MINUTES OF PREVIOUS MEETING(S)

RESOLUTION NUMBER CoA 2017-06

Moved by: Member Yake

Seconded by: Member Hern

THAT the Committee of Adjustment meeting minutes of April 10, 2017 – A01/17, A02/17 and A03/17 be adopted as presented.

CARRIED

APPLICATION A04/17

Owners/Applicant: Kathryn Giffen

The location of the subject property is described as Lot 10, Concession 6, Registered Plan 60R-1528, geographic township of West Luther and has a civic address of 8853 Wellington Rd 16. The subject land is approximately 5.76 ha (14.23 acres).

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 24, 2017 – 7:00 P.M.
A04/17**

The purpose and effect of the application is to provide relief from the maximum floor area and maximum height requirements for accessory structures. The applicant is requesting permission to construct an 1113 m² (11,980 ft²) horse riding arena with a proposed height of 6.75 m (22.14 ft). Other variances may be considered where deemed necessary

NOTICE OF THIS MEETING was mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on April 12, 2017 pursuant to the provisions of the Planning Act.

PRESENTATION

Linda Redmond reviewed comments provided by Elizabeth Martelluzzi, Junior Planner, dated April 19, 2017.

Planning Comments: The variances requested would provide relief from the maximum floor area and height requirements for an accessory structure on a residential lot. The applicant is proposing to construct a new riding arena with a floor area of 792m² (2,594 sq ft) and a height of 6.75 m (22 ft).

We have no concerns with the size of the proposed structure and are satisfied that the application maintains 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.

SUBJECT PROPERTY AND LOCATION

The subject lands are described as Lot 10, Concession 6, Registered Plan 60R-1528, with a civic address of 8853 Wellington Road 16. The subject land is approximately 5.76 ha (14.23 acres).

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area and height requirement for a proposed accessory structure. The maximum floor area of accessory structures on a lot of this size shall not exceed 213.67² (701 sq ft) and the maximum height shall not be higher than 4.5 m (14.8 ft). The applicant is requesting permission to construct a 792m² (2,594 sq ft) horse riding arena with a height of 6.75m (22 ft).

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

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 24, 2017 – 7:00 P.M.
A04/17**

given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A). The applicants are proposing to construct a new riding arena with the following required variances:

1. A total ground floor area of 792m² (2,594 sq ft), whereas section 6.1.4 b) of the By-law permits a total maximum ground floor area of 213m² (701 sq ft) for a lot this size; and
2. An accessory building height of 6.75 m (22 ft), whereas section 6.1.3 permits a maximum height of 4.5m (14.8 ft).

The variances requested are minor and appropriate for the use of the lot. The height of the building is specific to its use as a riding arena and the property is lined by trees facing onto Wellington Road 16 to screen the new structure. The variances meet the general intent of the Official Plan and Zoning By-law.

CORRESPONDENCE/COMMENTS RECEIVED

None

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

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

Vince Starratt, lawyer for the applicant, was present to answer questions regarding the application.

- Persons present to make oral and/or written submissions against the proposed minor variance.

No persons were present to make oral and/or written submissions against the proposed minor variance.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 24, 2017 – 7:00 P.M.
A04/17**

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

The Committee of Adjustment of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted the Committee to make an informed decision on this planning matter.

RESOLUTION NUMBER CoA 2017-07

Moved by: Member McCabe

Seconded by: Member Burke

THAT the minor variance applied for in Application A04/17 to provide the following relief :

1. *THAT a total ground floor area of 1,113 m² be permitted, whereas section 6.1.4 b) of the By-law permits a total maximum ground floor area of 142.7 m² for a lot this size; and*
2. *THAT an accessory building height of 6.75m (22 ft) be permitted, whereas section 6.1.3 of the By-law permits a maximum height of 4.5m (14.8 ft) for accessory buildings.*

be authorized.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2017-08

Moved by: Member Hern

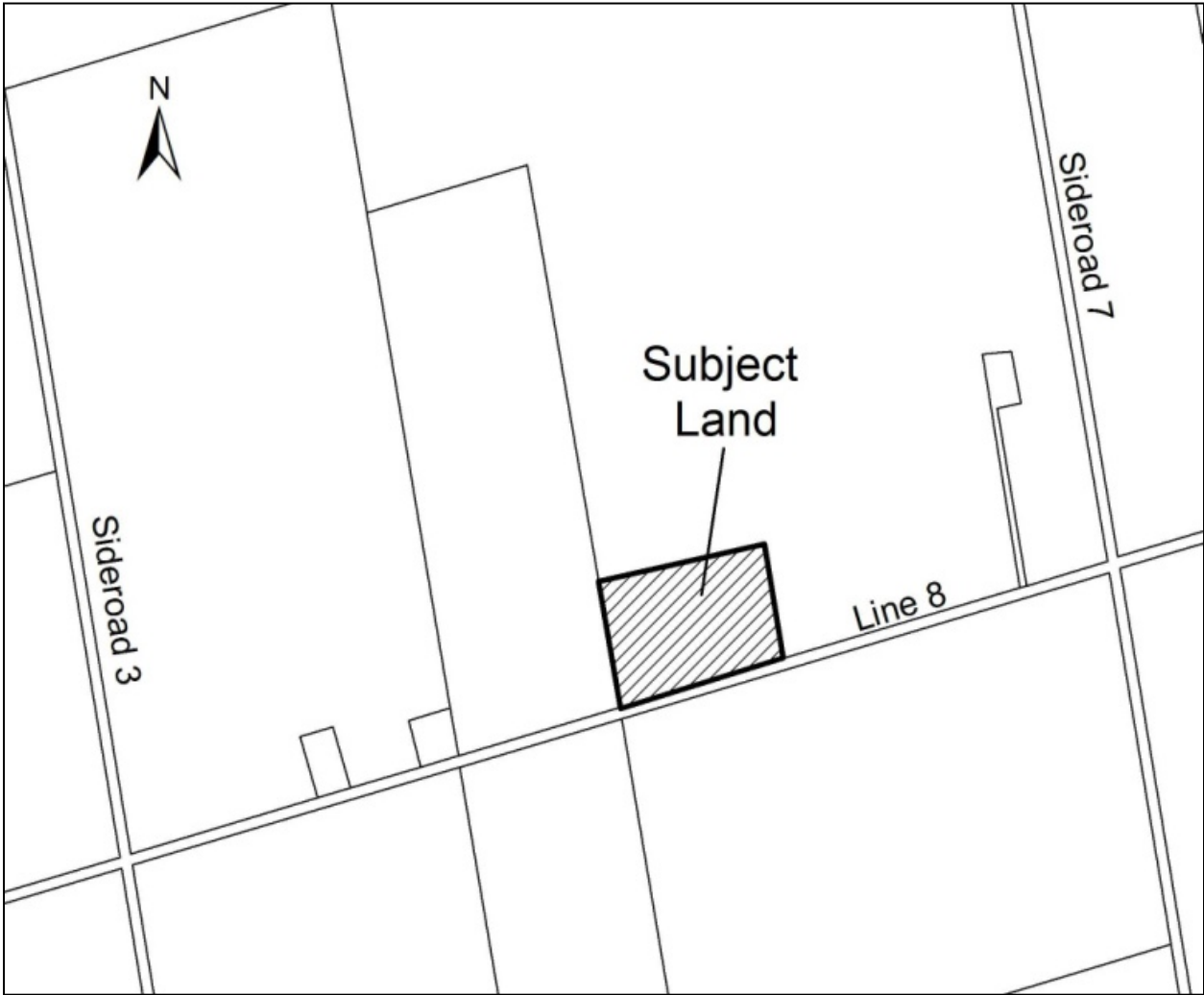
Seconded by: Member Yake

THAT the Committee of Adjustment meeting of April 24, 2017 be adjourned at 7:23 p.m.

CARRIED

Secretary Treasurer

Chairman



A05-17 – Kenneth Smith



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

May 15, 2017

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 A05/17**
Lot 5, Concession 9, Registered Plan 61R-8761
8220 Line 8
Ken Smith

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

Planning Comments: The variances requested would provide relief from the maximum floor area and height requirements for an accessory structure on an agricultural lot. The applicant is proposing to construct a new accessory building with a floor area of 464 m² (5000 sq ft) and a height of 6.7 m (22 ft)

We have no concerns with the size of the proposed structure and are satisfied that the application maintains 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.

SUBJECT PROPERTY AND LOCATION

The subject lands are described as Lot 5, Concession 9, Registered Plan 61R-8761, with a civic address of 8220 Line 8. The subject land is approximately 6.27 ha (15.5 acres).

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area and height requirement for a proposed accessory structure. The maximum floor area of accessory structures on a lot of this size shall not exceed 222.9 m² (2399 sq ft). The applicant is requesting permission to construct a 464.5 m² (5000 sq ft) accessory building with a height of 6.7m (22ft.) for agricultural purposes.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS AND GREENLANDS. 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.



TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A). The applicants are proposing to construct a new riding arena with the following required variance:

1. A total ground floor area of 464m² (5000 sq ft), whereas section 6.1.4 b) of the By-law permits a total maximum ground floor area of 222 m² (2399 sq ft) for a lot this size.
2. A total height of 6.7 meters (22 feet), whereas section 6.1.3 of the By-law permits a maximum height of 4.5 meters (14.8 feet)

The applicant has indicated that the building will be used for agricultural storage with a workshop and that the current building will be removed. In terms of impact, the building is located towards the rear of the property and is not in close proximity to a neighbour's dwelling or the road. The variances requested are minor and appropriate for the use of the lot. The variances meet the general intent of the Official Plan and Zoning By-law.

I trust that this information will be of assistance to Committee when making their decision on this application.

Elizabeth Martelluzzi, B.URPI
Junior Planner