



Township of Wellington North

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

COMMITTEE OF ADJUSTMENT

Monday, May 28, 2012 at 7:30 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

Page 1 of 2

AGENDA ITEM	PAGE NO.
<u>Chairman</u>	
1. Officially open the public meeting.	
2. Declaration of Pecuniary Interest and General Nature Thereof.	
3. Minutes, A1/12 (attached)	1
<u>APPLICATION A2/12</u>	6
Applicant: Thomas Gordon and Doris Gordon	
THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Block 5, RP 61R9567, with a civic address of 1 Farrell Lane, Arthur. The location of the property is shown on the map attached.	5
THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required exterior side yard setback for a detached shed. The property is located on a corner lot and the applicants would like to construct a 140 sq.ft. shed, 5 feet from the exterior lot line. The property is located in a Residential (R2-23) zone and is occupied by a semi-detached dwelling.	
4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on May 14, 2012 as well as posted on the property.	
5. Application for a Minor Variance	
6. Township Planner – Linda Redmond will review the County comments (attached).	12

**Committee of Adjustment Agenda
May 28th, 2012 - 7:30 p.m.**

Page 2 of 2

AGENDA ITEM	PAGE NO.
<p>7. Correspondence/Comments received:</p> <ul style="list-style-type: none">- Grand River Conservation Authority- Liz Yerex, Resource Planner <p>8. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p>Those wishing to be notified of decision please leave name and address with secretary-treasurer.</p> <p>Committee:</p> <ul style="list-style-type: none">- Comments and questions <p>9. Adjournment</p>	<p>13</p>

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A1/12

Page Two

APPLICATION A1/12

Applicant: Andrew Hummel and Laurie Hummel

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 6 Part Lot 5, with a civic address of 455 Durham St. W., Mount Forest. The property is approximately 1372 sq.m (14,769 sq.ft.) in size and has frontage on Durham and Henry Streets. The location of the property is shown on the map attached.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required interior side yard and exterior side yard setback. The applicant has received provisional approval of consent application B33/11 to sever the subject property to create one additional lot and construct a single detached dwelling on the severed parcel. The side yard variance pertains to the existing dwelling on the retained parcel and the exterior side yard setback variance pertains to the proposed dwelling on the severed parcel. The property is located in a Residential (R1C) zone.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on January 25, 2012 as well as posted on the property.
5. Linda Redmond, Township Planner, reviewed her comments dated January 30, 2012.

The variances requested would provide relief from sections 11.2.4 & 11.2.5 of the Zoning By-law to allow a reduced interior side yard and exterior side yard setback.

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 Planning Department recommended that the approval be conditional on the attached sketch, specifically that the interior side yard restriction only pertain to the existing dwelling at time of approval.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A1/12

Page Three

Under the 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.

Under the Wellington North Zoning By-law the subject lands are zoned Residential (R1C). The applicant has received provisional approval of consent application B33/11 to sever the subject property to create one additional lot and construct a single detached dwelling on the severed parcel. The severance and location of the existing dwelling will create a deficient side yard setback. Further the applicant is requesting relief from the exterior side yard setback on the severed parcel to accommodate a certain house type. The following variances have been requested:

1. A minimum interior side yard setback of 1.8m (5.9 ft), whereas the existing dwelling will have a side yard of 1.6 m (5.2 ft)
2. An exterior side yard setback of 6.6m (21.6 ft) for the proposed dwelling on the severed parcel, whereas the minimum setback required 7.6m (24.9 ft.).

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.

The Applicant was present to answer any questions regarding the application.

Robert Hill, 465 Durham Street West, had no objection and supported the application.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A1/12

Page Four

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

None.

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

Committee – Comments and Questions

None.

Moved by: Councillor Burke

Seconded by: Councillor Goetz

THAT the minor variance applied for in Application A1/12 be authorized.

Resolution No. 2

Carried

8. Adjournment (7:06 p.m.)

Moved by: Councillor Goetz

Seconded by: Councillor Burke

That the Committee of Adjustment meeting of February 6, 2012 be adjourned.

Resolution No. 3

Carried

Alternate Secretary Treasurer

Chairman





TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: April 23, 2012

File Number: A 2112

Roll # 23-49-000-011-05050-0000

Date Application Filed:

Application Fee Received: \$ 750.00

A. GENERAL INFORMATION

1.* APPLICANT INFORMATION

a)* Registered Owner's Name(s): THOMAS + DORIS GORDON
Address: 1 FARRELL LANE ARTHUR ONT N0G1A0
Phone: Home (519) 848-3041 Work (519) 848-2660 Fax
Email:

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

b)* Applicant (Agent) Name(s): Thomas + Doris Gordon
Address: 1 Farrell Lane, Arthur, Ontario N0G1A0.
Phone: Home (519) 848 3041 Work (519) 848-2660 Fax
Email:

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

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

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

Measurements are in: Metric [X] Imperial [] units

Municipal Address: 1 Farrell Lane, Arthur Ont. N0G1A0

Concession: P+BK Lot: \$ Registered Plan No.: 429 P1717 BR 9567

Area: 246.2m Depth: 24.6m Frontage (Width): 11.402m Width of Road Allowance (if known):

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

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

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

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

Official Plan Designation: Residential

Zoning: R2-23

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

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

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

Farrrell Lane

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)

We would like to build a shed on our exterior side yd,
10^{feet} X 14 feet.

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

(Please specifically indicate on sketch)

We are not permitted to build on the exterior
side yard!

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

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

a) THE SUBJECT PROPERTY? Residential

b) THE ABUTTING PROPERTIES? County shed to rear / residential.

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

	<u>Existing</u>	<u>Proposed</u>		<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	<u>house</u>		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		

See survey attached.

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

	<u>Existing</u>	<u>Proposed</u>		<u>Existing</u>	<u>Proposed</u>
a) Front Yard	<u>house</u>		b) Side Yards	<u>20'</u>	<u>5'</u>
c) Rear Yard					

*See survey attached
for an accessory shed
10' x 14'*

13.* DATE OF ACQUISITION OF SUBJECT PROPERTY: Nov. 28 2003

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: 2003 ±

14. HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?
since constructed.

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

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

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

File No. of Application: _____

Purpose of Application: _____

Status of Application: _____

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

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

I (we) _____ of the _____ of _____,

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

Signature of Owner(s)

Date

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

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

DECLARED before me at the Township of Wellington North in the County of Wellington this 20th day of April, 2012

Doris Gordon
Signature of Owner or Authorized Solicitor or Authorized Agent

April 20/12
Date

[Signature]
Signature of Commissioner Angela Almeida

April 20/12
Date

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

[Signature]
Signature of Municipal Employee

April 23, 2012
Date

37.38' FENCE
9'

5'-0"



87

12'

16'

10'

20'-0"

#1

LIGHT POST

MINOR VARIANCE

ELIZA STREET

FARRELL LANE

Darren
90/1/11



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 23, 2012

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 A2/12**
Part of Block 5, RP 61R9567
1 Farrell Lane, Arthur
Gordon

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

Planning Opinion: The variances requested would provide relief from sections 6.1.2 a) & b) of the Zoning By-law to allow a shed to be located in the exterior side yard with a setback from the property line of 1.5 m (5 ft.).

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. We would recommend that the approval be conditional on the attached sketch.


Wellington County Official Plan: The subject property is designated Residential in the Arthur 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 (R2-23). The property is occupied by a semi-detached dwelling and is located on a corner lot. The applicants are proposing to construct a 140 sq.ft. shed in the exterior side yard and are requesting the following variances:

1. An exterior side yard setback of 1.5m (5 ft) for a proposed shed, whereas the minimum setback required is 6 m (19.6 ft.).
2. Relief to allow a shed within the exterior side yard whereas accessory structures must be located in a rear or side yard only.

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



**PLAN REVIEW REPORT: Township of Wellington North
Darren Jones, Building/Zoning Dept.**

DATE: May 25, 2012

YOUR FILE: A2/12

GRCA FILE: Wellington/NorthWell/2012/MV/NC

**RE: Application for Minor Variance
Part of Block 5, RP 61R9567
1 Farrell Lane, Arthur**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the proposed minor variance to provide relief from the required exterior side yard setback for a detached shed.

BACKGROUND:

1. Resource Issues:

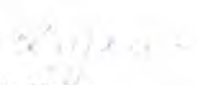
None identified.

2. Legislative/Policy Requirements and Implications:

None

3. Additional Information/Suggestions provided in an advisory capacity:

None


Liz Yerex
Resource Planner
Grand River Conservation Authority
LY/hi

- *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*

1 Farrell Lane (Arthur)

LEGEND

-  WATERSHED BOUNDARY (GRCA)
-  UTILITY LINE (NRVIS)
-  ROADS-ADDRESSED (MNR)
-  RAILWAY (NRVIS)
-  CLASSIFIED STREAMS - NEW (NRVIS)
-  COLD WATER
-  COOL WATER
-  UNKNOWN
-  WARM WATER
-  DRAINAGE-NETWORK (GRCA)
-  PARCELS-ASSESSMENT (MPAC)
-  FLOODPLAIN (GRCA)
-  ENGINEERED
-  APPROXIMATE
-  ESTIMATED
-  WETLAND (GRCA)
-  SLOPE VALLEY (GRCA)
-  STEEP
-  OVERSTEEP
-  SLOPE EROSION (GRCA)
-  STEEP
-  OVERSTEEP
-  TOE
-  WETLAND (NRVIS)
-  PROVINCIALLY SIGNIFICANT
-  OTHER
-  REGULATION LIMIT (GRCA)
-  DRAINAGE-POLY (NRVIS)
-  2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to

<http://grims.grandriver.ca/docs/SourcesCitations1.htm>

0 11 22 33 44 m

NAD 1983, UTM Zone 17 Scale 1:982



Subject Lands