

Township of Wellington North

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

Committee of Adjustment

Monday, September 10, 2012 at 7:30 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 2					
AGENDA ITEM	PAGE NO.				
Chairman					
1. Officially open the public meeting.					
2. Declaration of Pecuniary Interest and General Nature Thereof.					
3. Minutes, A2/12 (attached)	01				
APPLICATION A3/12					
Owners/Applicant: David James Stevenson and Joanne Henrietta Stevenso	n				
The Location of the Subject Property is described as Part Lot 18, Concess North, with a civic address of 8426 East-West Luther Townline. The location property is shown on the map attached.					
The Purpose and Effect of the Application is to provide relief from section of the Wellington North Zoning By-law regulating the maximum height for an account building of a residential use. The applicant is proposing to construct an account structure which exceeds the maximum height permitted by 0.53 m. (1.75 fit property is located in an Agricultural (A) zone.	cessory cessory				
4. Secretary Treasurer – notice mailed to surrounding property owner required agencies on August 30, 2012 as well as posted on the property.	ers and				
5. Application for a Minor Variance	06				
6. Township Planner – Linda Redmond will review the County cor (attached).	mments 16				

9. Adjournment

September 10, 2012 at 7:30 p.m. Page 2 of			
	AGENDA ITEM	PAGE NO	
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		

COMMITTEE OF ADJUSTMENT

A2/12

The Committee of Adjustment met on Monday, May 28, 2012 at the Kenilworth Municipal Office, at 7:30 p.m.

Members Present: Chairman: Raymond Tout

Sherry Burke Mark Goetz Andy Lennox Dan Yake

Also Present: Alternate Secretary-Treasurer, Lorraine Heinbuch

Executive Assistant, Cathy Conrad Township Planner, Linda Redmond

- 1. The Chairman called the meeting to order.
- 2. Disclosure of Pecuniary Interest and General Nature Thereof

None Reported

3. Minutes

Moved by: Councillor Lennox **Seconded by:** Councillor Yake

THAT the Committee of Adjustment meeting minutes of May 28, 2012 – A1/12 be adopted as presented.

Resolution No. 1 Carried

The public meeting was held to consider Minor Variance Applications A2/12 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

COMMITTEE OF ADJUSTMENT

A2/12

Page Two

APPLICATION A2/12

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 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. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on May 14, 2012 as well as posted on the property.
- 5. Linda Redmond, Township Planner, reviewed her comments dated May 23, 2012.

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.).

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.

Under the 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.

COMMITTEE OF ADJUSTMENT

A2/12

Page Three

Under the 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.
- 6. Correspondence/Comments received:
 - Grand River Conservation Authority
 - Liz Yerex, Resource Planner
 - No Objection

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. They would like to build a garden shed a little bit out from the side of the house.

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.

COMMITTEE OF ADJUSTMENT

A2/12

Page	Four
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8.

Alternate Secretary Treasurer

Moved by: Councillor Goetz
Seconded by: Councillor Burke

THAT the minor variance applied for in Application A2/12 be authorized.

Resolution No. 2 Carried

Adjournment (7:35 p.m.)

Moved by: Councillor Goetz
Seconded by: Councillor Burke

That the Committee of Adjustment meeting of May 28, 2012 be adjourned.

Resolution No. 3 Carried

Chairman





APPLICATION FOR A MINOR VARIANCE

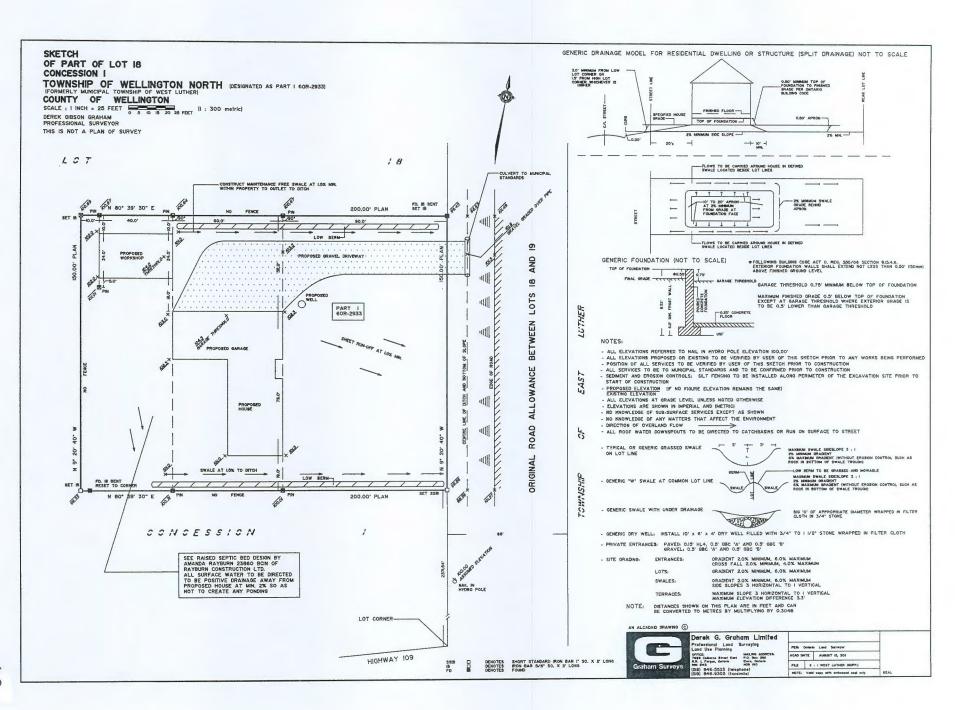
Date	Receive	d: alug 24, 2012
File N	umber:	Roll # 23-49-000-014-00450-0000
Date .	Applica	tion Filed: Application Fee Received: \$ 750.00
<u>A. GE</u>	ENERA!	LINFORMATION
1.*		Address: 96 Leeson St 5. Box 462 Grand Valley, ON
		Phone: Home (519) 928-5442 Work (905) 979-4012 Fax Email: dave jostevenson @ mail. com e note: AUTHORIZATION IS REQUIRED IF THE APPLICANT IS NOT THE OWNER Section G)
	b)*	Applicant (Agent) Name(s): Address: Phone: Home () Work () Fax () Email:
	c)*	Name, Address, Phone No. of all persons having any mortgage charge or encumbrance on the property:
	d)	Send Correspondence To: Owner [
2.*		/IDE A DESCRIPTION OF THE "ENTIRE" PROPERTY urements are in: Metric [] Imperial [] units
	Munic	ipal Address: 8426 E-W Luther Tline.
	Conce	ssion: N Lot: 18 Registered Plan No.: 60R 2933
	Area:	Depth: 200 Frontage (Width): 150 Width of Road Allowance (if known):
3a).*	i) Prov	T IS THE ACCESS TO THE SUBJECT PROPERTY? vincial Highway [] ii) Seasonally maintained municipal road [] iii) Continually maintained ipal road [] v) Right-of-way [] vi) Water access []

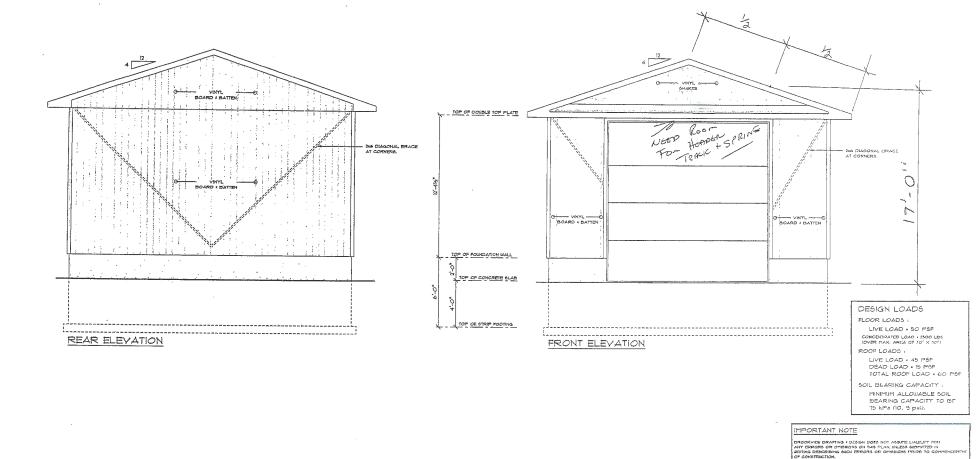
3b).*	FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD.
4.*	WHAT IS THE CURRENT OFFICIAL PLAN AND ZONING STATUS? Official Plan Designation: PRIME AGRICULTURAL
	Zoning: AGRICULTURAL
B. EX	STING AND PROPOSED SERVICES
5.*	INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:
a) Exis	Municipal Private or Communal Private Other Water Municipal Communal Private Other Sewage Water Water Well Supply Sewers Sewers Septic Disposal sting* [] [] [] [] [] [] [] [] [] [
6.	IS STORM DRAINAGE PROVIDED BY: Sewers [] Ditches [X] Swales [] Other means []
7.	WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY? E-W Luther Town Line.
C. RE	ASON FOR APPLICATION
8.*	WHAT IS THE NATURE AND THE EXTENT OF THE RELIEF THAT IS BEING APPLIED FOR? (Please specifically indicate on sketch)
	TO ALLOW ACCESSORY BUILDING TO EXCEED HOTCHT OF MAIN BUILDING BY 1'9"
	HOIGHT OF MAIN BUILDING BY 19",
9.*	WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW? (Please specifically indicate on sketch)
	WE WISH TO PARK A CAMPER INSIDE
	BUILDING - WITH OUT THE HEIGHT THE DOOR
D. EX	WILL NOT BE TALL ENOUGH TO ALLOW COMPER. ISTING SUBJECT AND ABUTTING PROPERTY LAND USES, BUILDINGS & THEIR LOCATIONS
10.*	WHAT IS THE "EXISTING" USE OF: a) THE SUBJECT PROPERTY? VACANT
	b) THE ABUTTING PROPERTIES? RULAL / FARM LAND

11.*	PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS ON OR PROPOSED FOR THE SUBJEC					
	<u>LAND</u> : Measurements are in Metric [] Imperial [] units Existing Proposed		Existing	Proposed	-1	
	a) Type of Building(s) HOUSE/GARAGE b) Main Building Hei			15.31	LOUSE/17	
	c) % Lot Coverage 13.3 % d) # of Parking Space.				_	
	e) # of Loading Space(s) f) Number of Floors g) Total Floor Area 4095 ' 89 FT h) Ground Floor Area	a _		3,000	4095	
	(exclude basement)			*	Se PT	
12.*	WHAT IS THE LOCATION OF ALL BUILDINGS EXISTING AND PROPERTY (Specify distances from front, rear and side lot lines) Measurements are in: Metric [] Imperial [大] units	PROI	POSED FO	R THE SU	BJECT	
	Existing Proposed Existing		Proposed			
	a) Front Yard b) Side Yards		101			
	c) Rear Yard to					
		2	212			
13.*	DATE OF ACQUISITION OF SUBJECT PROPERTY: Dec 25	3,00	510		_	
	DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROJ	PERT	Y: PUG	- DEC	2012	
14.	HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUE	ВЈЕСТ	PROPERT	Υ?		
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:					
F. OT	HER RELATED PLANNING APPLICATIONS HAS THE APPLICANT/ OWNER MADE APPLICATION FOR ANY	Y OF	THE FOLL	OWING O	N THE	
	SUBJECT LAND?					
		es [No [×		
		Yes [Yes [No [×		
		Yes [_	No[x	-	
		HOLL	OWING D	TEODIA A TE	ON	
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 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) DAVID & JOANNE STEVENSON of the TOWNSHIP of East Luther Grand Valley County/Region of DUFFERIN 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 Trucslep of Willington North in the County of Into North this 24 day of August, 2012 ignature of Owner or Authorized Solicitor or Authorized Agent CATHERINE E. MCIRE, a Commissioner, Signature of Commissioner etc., County of Wellington, Deputy Clerk of the Corporation of the Township of Wellington North. APPLICATION AND FEE OF \$750.00 RECEIVED BY THE MUNICIPALITY:

Signature of Municipal Employee

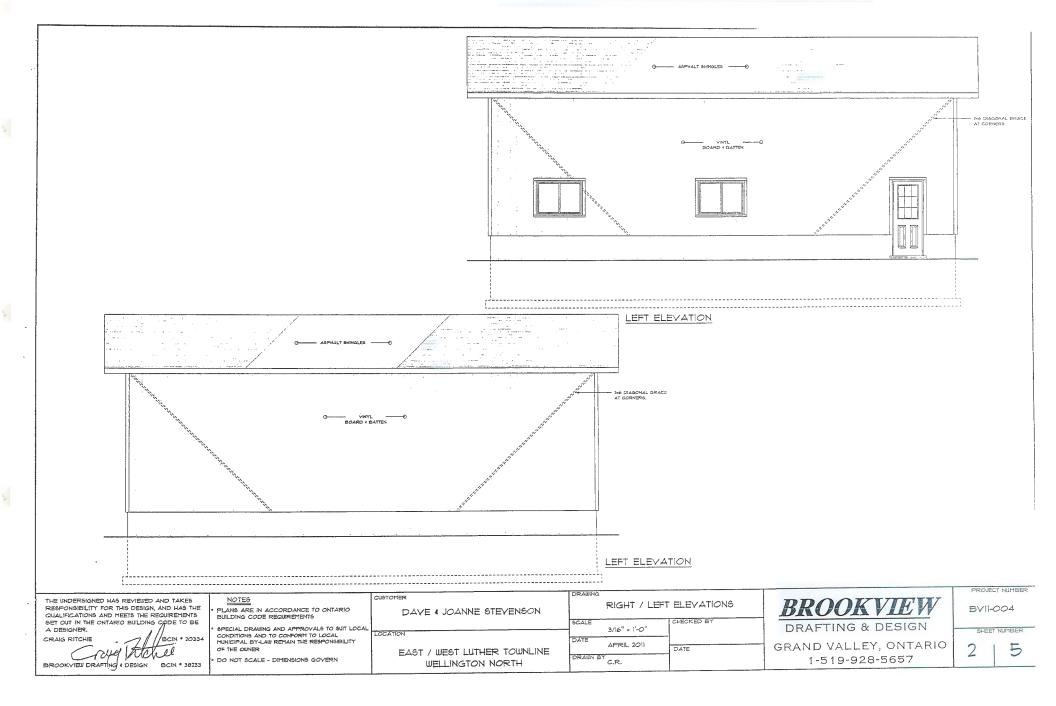


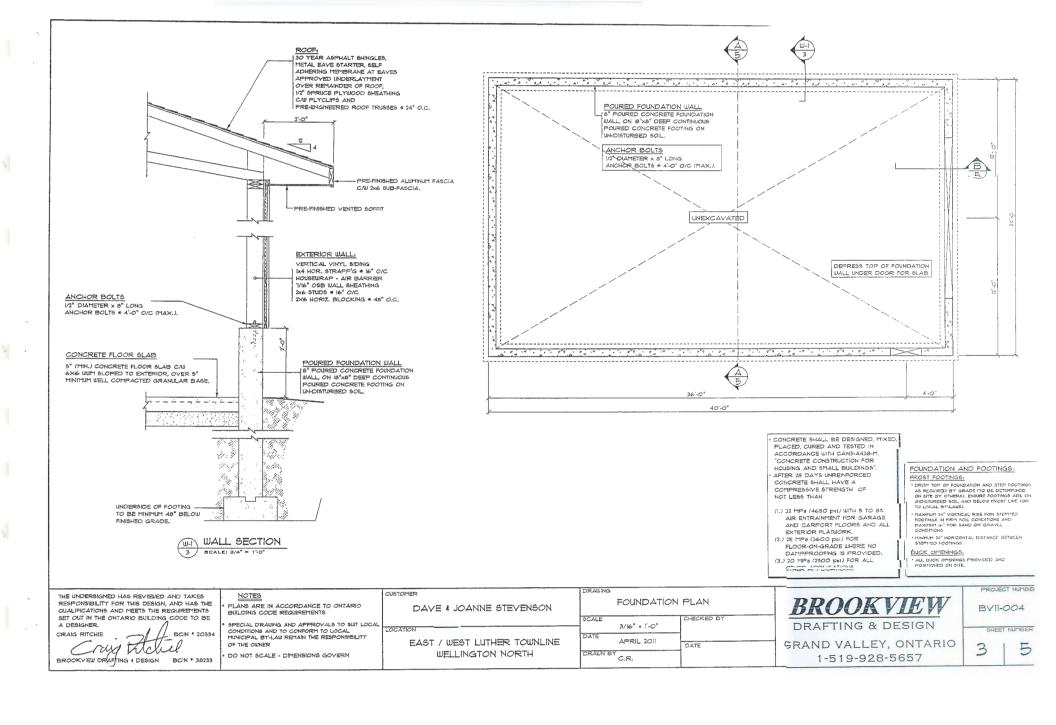


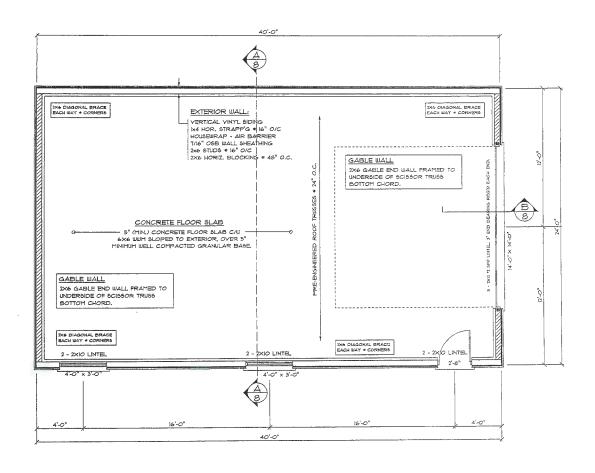
REGORDING ENATING & DECION DOTS NOT ASSURE LIABILITY FOR ANY BESIGNS OR OFFISIONS OF THE PLAN, DIAZOS SEPTIMITED IN SERRORS OR OFFISIONS OR OFFISIONS OR OFFISIONS OF SEPTIMITED TO CONFIDENCIATIVATION OF CONTROLLING. OF CONTROLLING, OR CHARLES OF THE RESPONSIBLE TOR ANY TO EXPLANATION OF PROPERSONAL CONSTALATOR AT ANY TIME PROPERTY OF THE PRESENCE ADVISED OF ANY TOLICIDAL CONTROLLING ANY TIME PRIOR TO OR DEVINE CONTROLLING. REPRIES, ANY TIME OF PRIOR TO OR CHARLES OF THE SECONDAL THAT ANY TIME OF THE PRIOR TO THE PRIOR OF THE PRIOR TO THE PRIOR OF THE PRIOR TO THE PRIOR OF THE PRIOR O

DUILDING CONTRACTOR TO VERIFT ALL DITENSIONS DEFORE PROCESDING DISIBILITIES TAKE PERCEDENCE OVER SCALED DITENSIONS. ALL CONSTRUCTION DIALL COMPLY WITH PART 3 OF THE 2006 ONTARIO DUILDING CODE.

THE UNDERSIGNED HAS REVISUED AND TAKES	NOTES	CUSTOMER	DRAWING			PROJECT NUMBER
RESPONSIBILITY FOR: THIS DESIGN, AND HAS THE GUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.	PLÂMS ARE IN ACCORDANCE TO ONTARIO BUILDING CODE REQUIREMENTS • SPECIAL DRAWING AND APPROVALS TO SUIT LOCAL	DAYE & JOANNE STEVENSON	SCALE	AR ELEVATIONS	BROOKVIEW	BÝII-004
CRAIG RITCHIE 20334	CONDITIONS AND TO CONFORM TO LOCAL MUNICIPAL BY-LAW REMAIN THE RESPONSIBILITY OF THE OWNER	EAST / WEST LUTHER TOWNLINE	3/16" x 1'-0" DATE MAY 2011	DATE	DRAFTING & DESIGN GRAND VALLEY, ONTARIO	SHEET NUMBER
BROOKYIBU DRAFTING (DESIGN BCIN * 38233	DO NOT SCALE - DIMENSIONS GOVERN	WELLINGTON NORTH	DRAWN BY C.R.		1-519-928-5657	







THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE GUALIFICATIONS AND HEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

CRAIG RITCHIE - / / BC

BROOKVIEW DRAFING & DESIGN BCIN . 38233

NOTES

PLANS ARE IN ACCORDANCE TO ONTARIO BUILDING CODE REQUIREMENTS

 SPECIAL DRAWING AND APPROVALS TO SUIT LOCAL CONDITIONS AND TO COMFORM TO LOCAL MUNICIPAL BY-LAW REMAIN THE RESPONSIBILITY OF THE OWNER

DO NOT SCALE - DIMENSIONS GOVERN

CUSTOMER

DAYE & JOANNE STEVENSON

EAST / WEST LUTHER TOWNLINE
WELLINGTON NORTH

PLOOR PLAN

SCALE

3/16" = 1'-0"

CHECKED BY

DATE

DATE APRIL 2011

DRAWN BY

C.R.

BROOKVIEW

DRAFTING & DESIGN GRAND VALLEY, ONTARIO

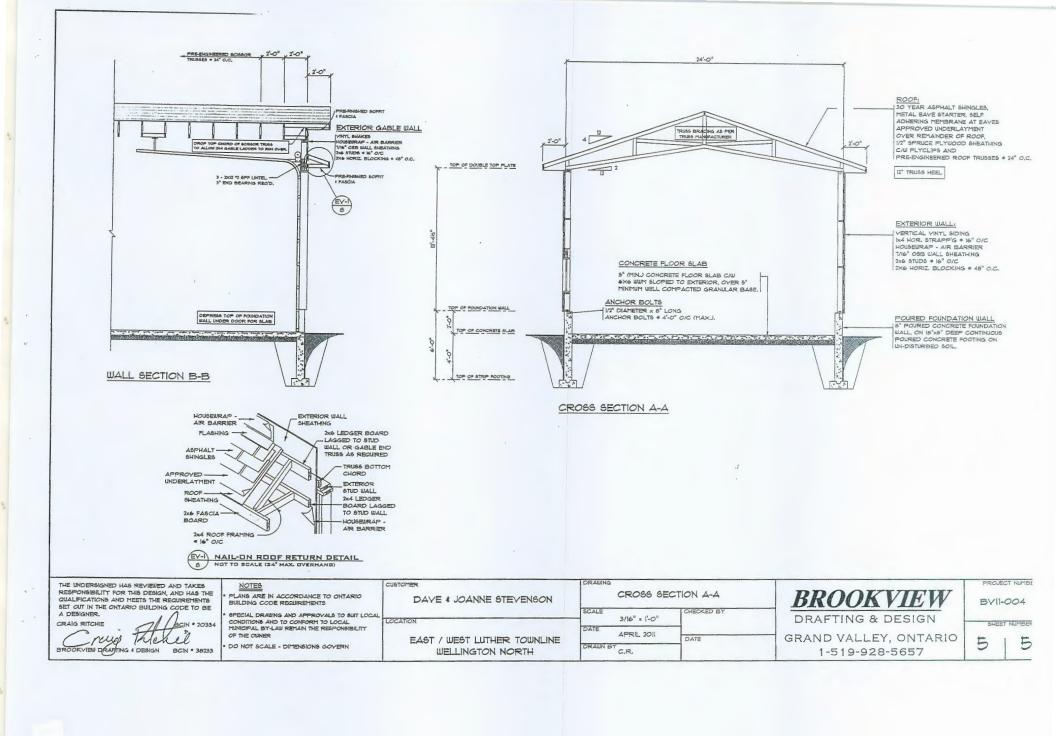
1-519-928-5657

PROJECT NUMBER

BY11-004

SHEET NUMBER

4 | 5



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

August 31, 2012

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

Dear Mr. Jones,

Re:

Minor Variance Application A3/12 Part Lot 18, Concession 1 North 8426 East-West Luther Townline

Stevenson

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

<u>Planning Opinion:</u> The variances requested would provide relief from section 6.1.3 of the Zoning Bylaw to allow for an accessory structure which exceeds the height of the main building by 0.53 m. (1.75 ft.). The applicants are submitting this request based on the storage needs of a recreational vehicle.

We have no concerns with the relief requested at this time. The application is minor, 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.

<u>Wellington County Official Plan:</u> The subject property is designated PRIME AGRIULTURAL in the 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.

<u>Wellington North Zoning By-law:</u> The subject lands are zoned Agricultural (A). The property is currently vacant and was severed in 1989. The applicants are proposing to construct an accessory structure that will be 1.75 ft. higher than the main building (dwelling). Section 6.1.3 of the zoning by-law states that an accessory use must not exceed the height of the main building. As such the following variance has been requested:

 Relief to allow a proposed accessory structures height to exceed the main building. The accessory structure will have a height of 5.18 m. (17 ft.), whereas the residential dwelling will be 4.65 m. (15.25 ft.).

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