

**TOWNSHIP OF WELLINGTON NORTH**

**COMMITTEE OF ADJUSTMENT**

**A4/12**

The Committee of Adjustment met on Monday, October 15, 2012 at the Kenilworth Municipal Office, at 7:15 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, Mark Van Patter**

1. The Chairman called the meeting to order.
2. Disclosure of Pecuniary Interest and General Nature Thereof  
  
None Reported
3. Minutes

**Moved by: Councillor Goetz  
Seconded by: Councillor Burke**

***THAT the Committee of Adjustment meeting minutes of September 10, 2012 – A3/12 be adopted as presented.***

**Resolution No. 1**

**Carried**

The public meeting was held to consider Minor Variance Applications A4/12 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

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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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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.

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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