



Township of Wellington North

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

Committee of Adjustment

Monday, November 18th, 2013 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 2

AGENDA ITEM	PAGE NO.
<p>Chairman</p> <ol style="list-style-type: none">1. Officially open the public meeting.2. Declaration of Pecuniary Interest and General Nature Thereof.3. Minutes, A5/13 (attached)	1
<p><u>APPLICATION A3/13</u></p>	
<p>Owners/Applicant: James Bowden and Donna Bowden</p>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 16 & 17, Plan Town of Mount Forest. The property is Municipal known as 155 - 165 Fergus Street S and 187 King Street East. The lands subject to the variance are shown on the location map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the minimum lot area, lot frontage, rear yard setback, side yard setback, parking area setback and parking access width within the Mixed Use Zone (MU1). The applicant is proposing to construct 2 four unit townhouse buildings on the subject lands. The townhouse buildings will be located to the rear of the existing dwellings and access to the units will be via King Street. The variances will facilitate this development and satisfy conditions of severance application. Other variances dealing with the proposed development may be considered as required.</p>	5
<ol style="list-style-type: none">4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on October 24th, 2013 as well as posted on the property.5. Application for a Minor Variance	6

AGENDA ITEM	PAGE NO.
<p>6. Township Planner – Linda Redmond will review the County comments (attached).</p> <p>7. Correspondence/Comments received:</p> <ul style="list-style-type: none">- Jennifer Prenger, Environmental Planning Technician, SVCA<ul style="list-style-type: none">- This application for minor variance is acceptable to the SVCA. <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	10

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A6/13</u></p>	
<p>Owners/Applicant: KC Properties (GP) Ltd.</p>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 23, Concession 8. The property is Municipal known as 8773 Concession 9. The lands subject to the variance are shown on the location map attached.</p>	13
<p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief to add a minor, accessory use within an Unserviced Residential Exception Zone (R1A-20). The applicant is proposing to provide a parking compound for the exclusive use of the residents to park their recreational and seasonal vehicles on site. The variance is required to provide clarification of this accessory use. Other variances dealing with the proposed development may be considered as required.</p>	
<p>4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on November 4th, 2013 as well as posted on the property.</p>	
<p>5. Application for a Minor Variance</p>	14
<p>6. Township Planner – Linda Redmond will review the County comments (attached).</p>	19
<p>7. Correspondence/Comments received: - 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? 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. Committee: - Comments and questions</p>	
<p>9. Adjournment</p>	

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/13

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APPLICATION A5/13

Owners/Applicant: Dwight Rundle

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Park Lot 2, with a civic address of 455 Wellington Street E. (Mount Forest). The lands subject to the variance is approximately 0.4 ha (1 acre) in size

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum permitted lot coverage for accessory structures. The variance is a condition of severance application B41/13, that was granted provisional approval by the County Land Division Committee in June 2013. Other variances may be considered where deemed appropriate.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on August 23, 2013 as well as posted on the property.
5. Linda Redmond, Township Planner, reviewed her comments dated September 4, 2013.

The variances requested would provide relief from sections 6.1.4(ii) of the Zoning By-law to allow for accessory structures to exceed the maximum allowable floor area of 92.9 m² (1000 ft²).

This variance will satisfy a condition of provisional approval for consent application B41/13. The applicant has indicated that the buildings being kept will be used for storage and a garage. The Committee should be satisfied that the accessory buildings are intended for personal use and not for commercial purposes.

Under the Wellington County Official Plan the subject property is designated Residential in the Urban centre of Mount Forest. 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

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A5/13

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Under the Wellington North Zoning By-law the subject lands are zoned Medium Density Residential (R2) and Future Development (FD). The property received provisional approval from the County Land Division Committee to sever a 0.4 ha (1 ac.) lot with an existing dwelling and two large accessory structures, subject to conditions. The two accessory structures each have a floor area of 234 m² (2520 sq.ft.) and 113.8 m² (1225 sq.ft.) which equals a combined floor area of 347.9 m² (3,745 ft²). As such, the following relief is required from section 6.1.4(ii) of the by-law:

- 1) To allow existing accessory structures with a maximum combined floor area of 347.9 m² (3,745 ft²), whereas 92.9 m² (1000 ft²) is permitted.

The subject lands were formerly part of a 4.3 acre parcel of land that received provisional approval in June 2013 to sever a 1 acre parcel. The accessory buildings were existing at that time and it should be noted that the lot coverage (floor area) was already exceeded. Essentially the buildings would have been considered legal non-conforming at that time. This variance will legalize this existing legal non conforming situation. All other zoning requirements appear to be met.

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.

Bob Fowler, President of Condominiums on Church Street, questioned what the other variances referred to in the notice. He asked what the intent of the variance is.

Ms. Redmond explained that at the time of preparing the notice that wording was included in case something else came up that needed a variance. There are no further variances needed. The lands will remain residential. Any future variances would require another minor variance.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/13

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: Burke
Seconded by: Goetz

THAT the minor variance applied for in Application A5/13 be authorized.

Resolution No. 2

Carried

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

Moved by: Burke
Seconded by: Goetz

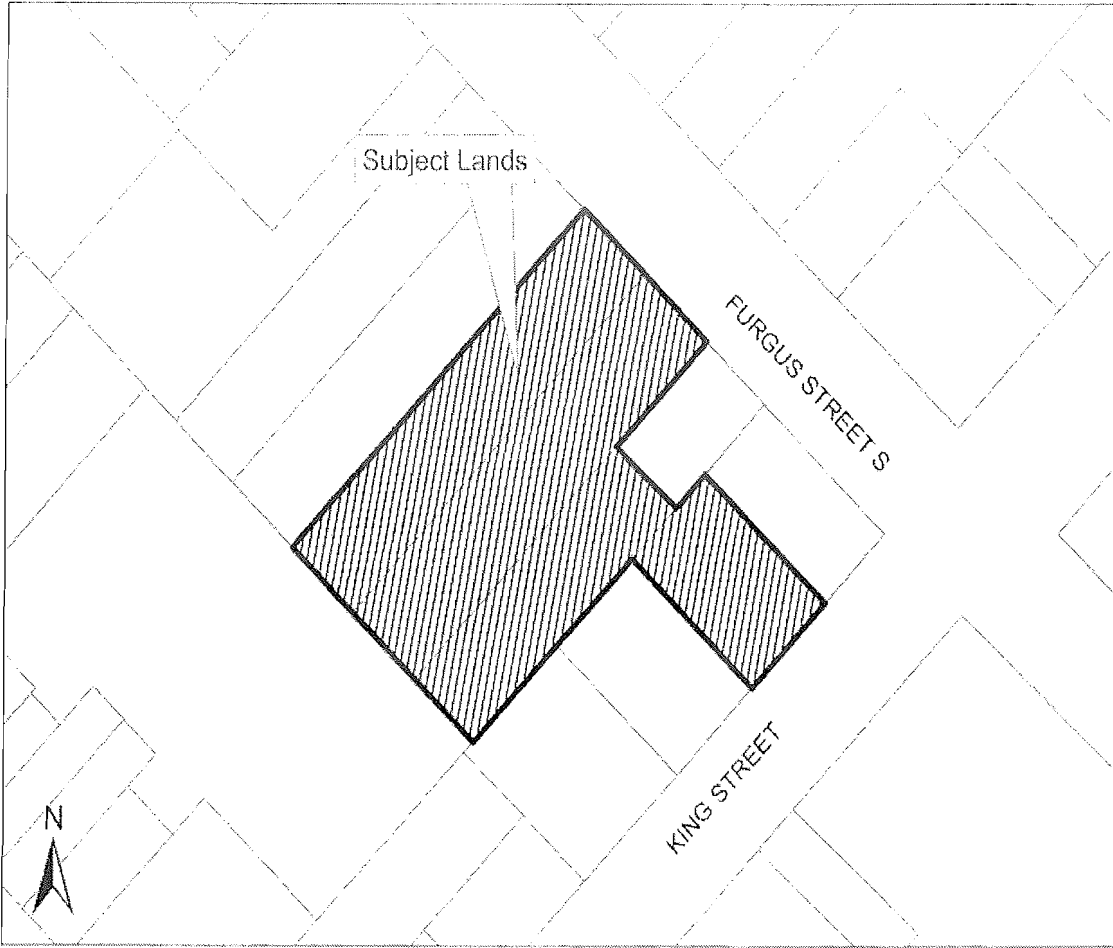
That the Committee of Adjustment meeting of September, 2013 be adjourned.

Resolution No. 3

Carried

Secretary Treasurer

Chairman





TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: April 19, 2013

File Number: A 03113 Roll # _____

Date Application Filed: _____ Application Fee Received: \$ _____

A. GENERAL INFORMATION

1.* APPLICANT INFORMATION

a)* Registered Owner's Name(s): JAMES BOWDEN

Address: 165 FERGUS ST. SOUTH MOUNT FOREST ON. NOG 2L2

Phone: Home (519) 323-1720 ^{cell} Work (519) 321-9066 Fax _____

Email: jdbowden@wellmkn.ca

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

b)* Applicant (Agent) Name(s): VAS FARKAVEC

Address: P.O. BOX # 201 835 ALBERT ST. AYTON, ON. NOG 1C0

Phone: Home (519) 665-2267 Work (519) 665-2267 Fax () _____

Email: VASFARKAVEC@YAHOO.CA

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

d) Send Correspondence To: Owner Agent Other

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

Measurements are in: Metric Imperial units

Municipal Address: 187 KING ST. (MOUNT FOREST)

Concession: 60-1580 Lot: 16-17¹18 Registered Plan No.: _____

Area: 25,493 SQFT. Depth: _____ Frontage (Width): 56'-4¹³/₁₆" 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: CLUSTER TOWNHOUSE RESIDENTIAL
 Zoning: MU1

B. EXISTING 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"/>]	[]	[]	[]	[<input checked="" type="checkbox"/>]	[]	[]	[]
b) Proposed	[<input checked="" type="checkbox"/>]	[]	[]	[]	[<input checked="" type="checkbox"/>]	[]	[]	[]

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?
187 KING STREET

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)
ZONING RELIEF, FRONTAGE, PARKING, AREA SETBACK
MIN. INTERIOR SIDE YARD SETBACK 10'
MIN. REAR YARD SETBACK, CURB SETBACK

9.* WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW?
 (Please specifically indicate on sketch)
MIN. INTERIOR SIDE YARD & MIN. REAR YARD SETBACK PROPOSED
15'0" & REAR 22'-6"
FRONTAGE ON KING ST. (EXISTING 56'-4¹³/₁₆")
PARKING SETBACK REDUCED TO 13'-0" TO PROVIDE PARKING AS REQD.
CURB SET BACK 2'-0"
LOT AREA EXIST. 25,493 SQ.FT. REQ. 26,402 SQ.FT SHORT OF 909 SQ.FT.

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? 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>RESIDENTIAL</u>		b) Main Building Height		<u>18'-9"</u>
c) % Lot Coverage			d) # of Parking Spaces		<u>12</u>
e) # of Loading Space(s)	<u>N/A</u>		f) Number of Floors		<u>1</u>
g) Total Floor Area (exclude basement)	<u>7200 SQ FT</u>		h) Ground Floor Area		<u>7200 SQ FT</u>

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>56'-4¹³/₁₆"</u>	<u>22'-6"</u>	b) Side Yards		<u>15'-0"</u>
c) Rear Yard		<u>22'-6"</u>			

13.* DATE OF ACQUISITION OF SUBJECT PROPERTY: 1970, 1982, 1989, 2012

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: _____

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

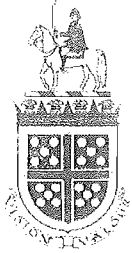
I (we) James Bowden of the Town of Mount Forest,
County/Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made 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 19th day of April, 2013.

[Signature] April 19/13
Date
Signature of Owner or Authorized Solicitor or Authorized Agent
[Signature] April 19/13
Date
Signature of Commissioner
CATHERINE E. MORE, a 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] April 19, 2013
Date
Signature of Municipal Employee



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

November 13, 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 A3/13**
155-165 Fergus Street S & 187 King Street E
Bowden

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

Planning Opinion:
The variances requested would satisfy the conditions of provisional approval for consent application B77/13 and facilitate the development of the lands for an eight unit townhouse development. We have no concerns with the relief requested conditional on the variances applying to the development of the lands for the proposed townhouse project as site plan approved. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law and is minor, desirable and appropriate for the development of the subject property.

Background: The subject lands originally existed as three separate properties. Consent applications B75-77/13 reconfigured and reassembled the lands and the new lot configuration is shown on the attached aerial map. The properties located at 155 & 165 Fergus Street where also severed into two lots (original configuration) as part of this overall proposal and require variances for frontage, area and side yard. This variance application is the final step in this development process and would facilitate the completion of the project.



Wellington County
Official Plan: The

subject property is designated RESIDENTIAL TRANSITION AREA within the Mount Forest URBAN CENTRE. 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 Mixed Use 1 (MU1). There is a proposal on the subject lands to develop an eight unit bungalow townhouse development. The following variances are required to facilitate this development:

1. Minimum interior side yard setback of 4.57 m (15 ft.) whereas 6 m (19.7 ft) is required.
2. Minimum rear yard setback of 6.88 m (22.6 ft), whereas 7.58 m (24.9 ft) is required.
3. Lot area of 2368 sq.m. (0.5 ac.), whereas 2252.7 sq.m. (0.6 ac.) is required.
4. Frontage on King Street of 17.9 m (58.9 ft.), whereas 20 m (66 ft.) is required.
5. Setback from King Street for parking of 3.9 m (13 ft.), whereas 7.5 m (24.9 ft.) is required.
6. Access drive width of 3.65 m (12 ft.), whereas 6 m (20 ft.) is required.

The following variances are required for the dwelling located at 155 Fergus Street:


1. Minimum frontage of 14.4 m (47.2 ft.), whereas 15 m (49.2 ft.) is required.
2. Minimum lot area of 425.8 sq.m. (4583.5 sq.ft.), whereas 465 sq.m (5005.4 sq.ft.) is required.

The following variances are required for the dwelling located at 165 Fergus Street:

1. Minimum lot area of 446 sq.m. (4806 sq.ft.), whereas 465 sq.m (5005.4 sq.ft.) is required.
2. Minimum side yard setback of 0.79 m (2.59 ft.), whereas 1.8 m (5.9 ft.) is required.
3. Minimum rear yard setback of 7.11 m (23.3 ft.), whereas 7.6 m (24.9 ft.) is required.

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

Yours truly,



Linda Redmond, B.A.
Senior Planner



1078 Bruce Rd. 12,
P.O. Box 150
Formosa ON
Canada N0G 1W0

Tel 519-367-3040
Fax 519-367-3041
publicinfo@svca.on.ca
www.svca.on.ca

SENT ELECTRONICALLY (djones@wellington-north.com)

November 8, 2013

Township of Wellington North Committee of Adjustment
7490 Sideroad 7 W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Department

Dear Mr. Jones,

RE: Application for Minor Variance A3/13
Part Lot 16, Plan Town of Mount Forest
Municipally known as 155, 165 & 175 Fergus St. S, and 187 King St. E
Geographic Town of Mount Forest
Township of Wellington North (James Bowden)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this application for minor variance in accordance with the SVCA's mandate and policies. The proposal is to provide site specific relief from the minimum lot area, lot frontage, rear yard setback, side yard setback, parking area setback and parking access width within the Mixed Use Zone (MU1) to facilitate the construction of two 4-unit townhouse buildings and satisfy conditions of the related severance application. Authority staff provided comments dated August 16, 2013 regarding the associated applications for consent (B75/13; B76/13; and, B77/13). Please refer to that letter for more details on the subject property. This application for minor variance is acceptable to the SVCA.

This application has been reviewed in accordance with the SVCA's mandate and policies. The SVCA is of the opinion that this application for minor variance appears to conform to the relevant policies of the Wellington County Official Plan and Provincial Policies. We trust this information is helpful. Should any questions arise, please do not hesitate to contact this office.

Sincerely,

Jennifer Prenger
Environmental Planning Technician

Conservation
Through
Cooperation

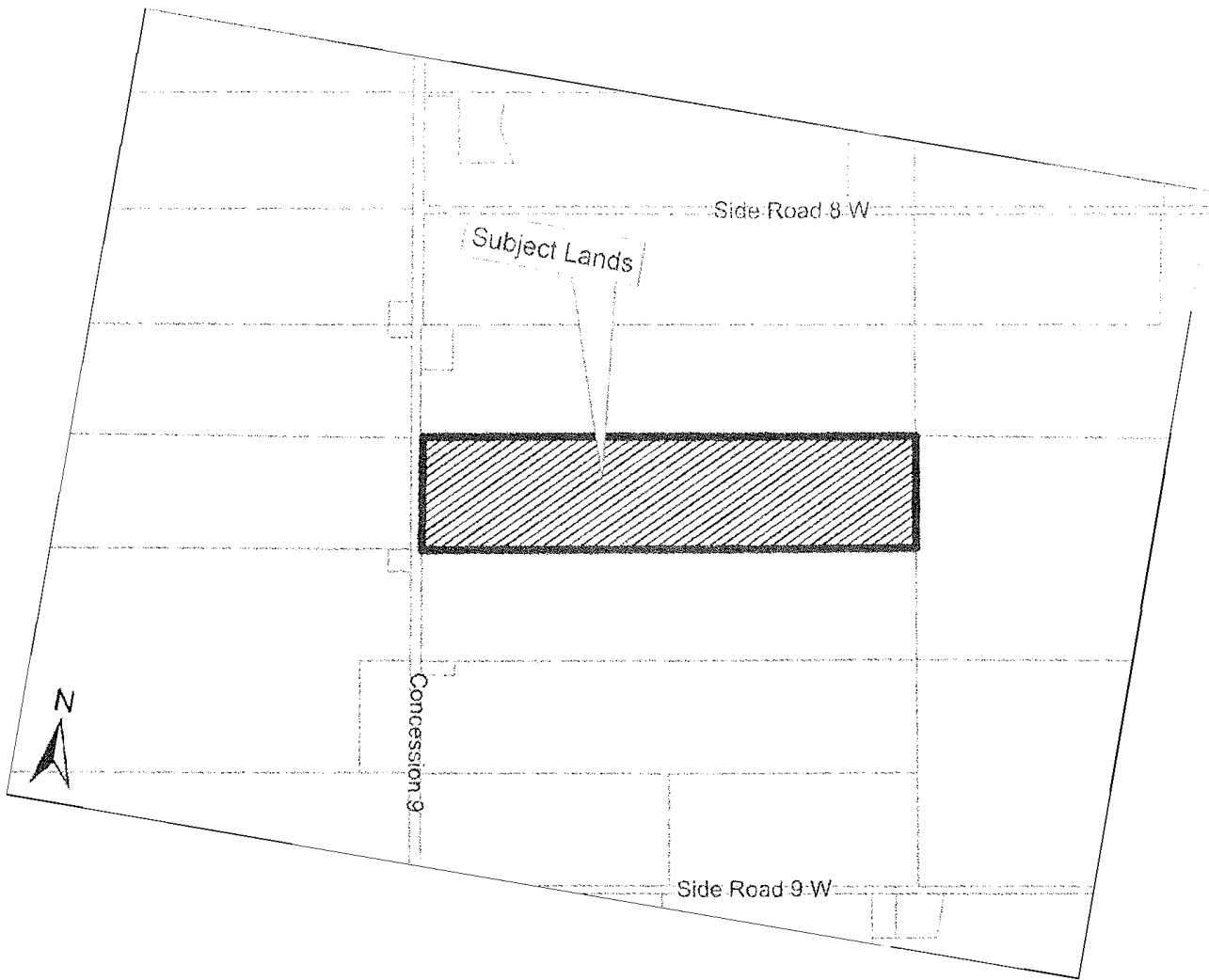
A MEMBER OF



Conservation
ONTARIO
Natural Champions

JP/

cc: Terry Fisk, SVCA Director (via email)
James Bowden, Applicant, 165 Fergus St. S, Mount Forest, ON, N0G 2L2





TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: Oct 11, 2013

File Number: A 613

Roll # 23-49-000-010-07300-0000

Date Application Filed: _____

Application Fee Received: \$ 750.00

A. GENERAL INFORMATION

1.* APPLICANT INFORMATION

a)* Registered Owner's Name(s): KC Properties (GP) Limited

Address: 77 Bloor Street West, Suite 2000, Toronto, Ontario, M5S 1M2

Phone: Home () _____ Work (416) 923-2724 Fax _____

Email: maureen.mckee@realstar.ca

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

b)* Applicant (Agent) Name(s): Jason Braganza, District Manager & Terry Cudney, Resident Manager

Address: 77 Bloor Street West, Suite 2000, Toronto, Ontario, M5S 1M2

Phone: Home () _____ Work (647) 746-4084 Fax () _____

Email: jason.braganza@realstar.ca, conestogaestates@realstar.ca

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

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

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

Measurements are in: Metric [] Imperial [] units

Municipal Address: 8773, Con. 9, RR1 Moorefield, Ont., N0G 2K0

Concession: _____ Lot: _____ Registered Plan No.: _____

Area: _____ Depth: _____ Frontage (Width): _____ Width of Road Allowance (if known): _____

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

P:\Committee of Adjustment\Minor Variance\ Applications\11.docx

i) Provincial Highway [] ii) Seasonally maintained municipal road [] iii) Continually maintained municipal road [x] 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: _____

Zoning: _____ Residential

B. EXISTING 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 [x] Swales [x] Other means []

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

_____ Main Street

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 are applying to have a parking compound added to the community - Enabling residents to park recreational and seasonal vehicles.

9.* WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW? (Please specifically indicate on sketch)

_____ The current residential By-Law does not allow for "parking lots" - when the community was rezoned to Residential it did not allow for us to have a parking compound

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

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

a) THE SUBJECT PROPERTY? _____ Vacant land

b) THE ABUTTING PROPERTIES? Greens Space and Residential Homes

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)	_____	_____	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	_____	_____

No buildings are proposed for the land.

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	_____	_____	b) Side Yards	_____	_____
c) Rear Yard	_____	_____			

13.* DATE OF ACQUISITION OF SUBJECT PROPERTY: June 17, 20011

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: _____

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 [x]	No []
Zoning By-law Amendment	Yes []	No []
Plan of Subdivision	Yes []	No []
Consent [Severance]	Yes []	No []

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) Maureen McKee of the City of Toronto

County/Region of Wellington do hereby authorize Jason Braganza & Terry Cudney to act as my agent in this application

[Signature] per KC Properties GP Limited 24 September, 2013
Signature of Owner(s) Date

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

I (we) Terry Cudney 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 11 day of October, 2013

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

Oct 11 / 2013
Date

[Signature]
Signature of Commissioner

CATHERINE E. MORE, a Commissioner, etc., County of Wellington, Deputy Clerk of the Corporation of the Township of Wellington North.

Oct 11 / 2013
Date

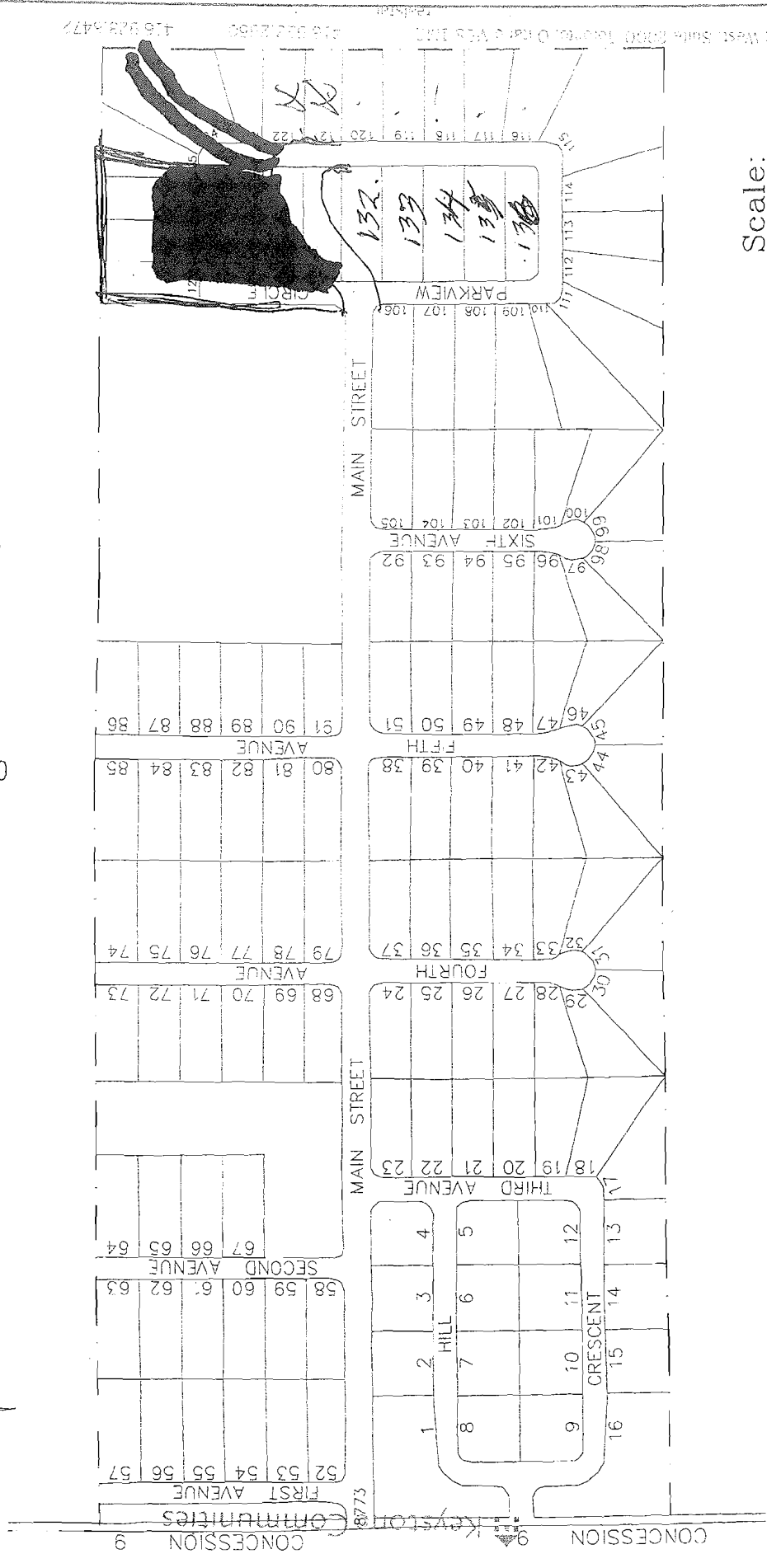
APPLICATION AND FEE OF \$750.00 RECEIVED BY THE MUNICIPALITY:

[Signature]
Signature of Municipal Employee

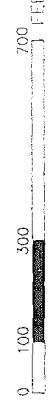
Oct. 11 / 13
Date

Township of Wellington North Conestoga Estates

By-law No. _____
Schedule " "



Scale:



August 5, 1997 -- D.M.

Information on maps may
be subject to change.



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

November 13th, 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 A6/13**
Pt Lot 23, Concession 8
8773 Concession 9, RR# 1, Moorefield
KC properties (GP) Limited

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

Planning Opinion:

The variance requested would provide relief to add a minor, accessory use within an Unserved Residential Exception Zone (R1A-20). The applicant is proposing to construct a 1,500 m² (16,145 ft²) parking compound/area which will be enclosed by a chain link fence, to be used by the residents of Conestoga Estates for storage of recreational vehicles.

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 parking compound will be for personal storage and parking of the residents of this development only and not for commercial purposes.

Wellington County Official Plan: The subject property is within a special Policy area PA6-6 (Mobile Home Parks). 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.

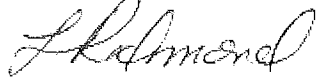
Wellington North Zoning By-law: The subject lands are zoned Unserved Residential Exception zone (R1A-20). The applicant is proposing to construct a 1,500 m² (16,145 ft²) parking compound on the property. Under the provision for the Unserved Residential Exception zone (R1A-20) a parking compound is not clearly defined as a permitted use. This variance would allow for the parking compound to be established as a minor "accessory" use, providing the residents only of Conestoga Estates an area which is secure to store their recreational and off- season vehicles. As such, the following relief is required:

1. To allow an accessory parking compound with an area of 1,500 m² (16,145 ft²) enclosed by a chain link fence, whereas the by-law does clearly define this an accessory parking compound as a permitted use. And that this parking area is to be used by the residents of Conestoga Estates only.

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