

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A7/13

The Committee of Adjustment met on Monday, December 2, 2013 at the Kenilworth Municipal Office, at 7:00 p.m.

Members Present:

**Chairman: Andy Lennox
Sherry Burke
Mark Goetz
Dan Yake**

Absent:

Raymond Tout

Also Present:

**Secretary-Treasurer, Catherine More
Executive Assistant, Cathy Conrad
Junior Planner, Jameson Pickard**

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

**Moved by: Yake
Seconded by: Goetz**

THAT the Committee of Adjustment meeting minutes of November 18, 2013 – A3/13 and A6/13 be adopted as presented.

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A7/13 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

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APPLICATION A7/13

Owners/Applicant: Harold and Bertha Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as South Part Lot 7, Concession 11, with a civic address of 9372 Concession 11 (Mt. Forest). The subject land is approximately 8.9 ha (22.21 acre) in size and is zoned Agricultural.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum permitted lot coverage for accessory structures in an agricultural zone. The applicants are proposing to construct a second shed with a floor area of 2,880 ft². The applicant will be utilizing the shed for storage of machinery and the housing of a horse. Additional relief for minimum setback requirements may also be considered.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on November 20, 2013 as well as posted on the property.
5. Jameson Pickard, Junior Planner, reviewed his comments dated November 28, 2013.

The variance requested would provide relief for a total lot coverage for accessory and hobby barn structures to be 505.3m² (5440 ft²), whereas the by-law permits a maximum lot coverage of 288m² (3100 ft²) for accessory structures and 213.8m² (2300 ft²) for a hobby barn, on a 8.9ha (22.21 ac) Agricultural parcel. The applicant is proposing to construct a second 237.8m² (2,560 ft²) shed, which will be used as a combined storage shed and horse barn. Given the multiple uses proposed for this structure we would request that the hobby barn portion of the structure be located in the northern half of the building so as to meet the required 22.8 m setback for a hobby barn from any lot line and to avoid further relief from the by-law.

We are satisfied that this 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 new shed will be for personal storage and the housing of a horse only and not for commercial purposes.

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

As shown in the Wellington North Zoning By-law the subject lands are approximately 8.9 ha (22.21 ac) and are zoned Agricultural (A). The applicants are proposing to construct a second 237.8m² (2,560ft²) shed on the property, which will be used to house machinery and a horse. Section 6.4.1 ii) permits a maximum total lot coverage of 288m² (3100 ft²) for accessory structures on a lot this size. Additionally section 8.3.1 permits a 213.8m² (2300 ft²) hobby barn on a lot this size. The total combined lot coverage of the proposed shed and the existing shed/hobby barn would be 505.3m² (5,440 ft²).

Further, the applicant is proposing to construct the new 237.8 m² (2,560 ft²) shed approximately 13 m away from the property line. The by-law requires a hobby barn to have a setback of 22.8m from a property line. Staff would recommend that the hobby barn portion of the structure be located in the northern half of the structure. This would avoid the need for relief from the by-law on this matter. As such, the following relief would be required:

- 1) That a total combined lot coverage for accessory buildings and hobby barn be 505.3 m² (5,440 ft²), whereas the by-law allows a total combined lot coverage for accessory buildings and hobby barns to be 501.7 m² (5400 ft²).

6. Correspondence/Comments received:

Jennifer Prenger, Environmental Planning Technician
Saugeen Valley Conservation Authority
- Application is acceptable

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7. Questions/Comments

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

- None

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: Yake

Seconded by: Goetz

THAT the minor variance applied for in Application A7/13 be authorized with condition that the hobby barn portion of the structure be located in the northern half of the building so as to meet the required 22.8 m setback for a hobby barn from any lot line and to avoid further relief from the by-law.

Resolution No. 2

Carried

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8. Adjournment (7:05 p.m.)

**Moved by: Yake
Seconded by: Goetz**

That the Committee of Adjustment meeting of December 2, 2013 be adjourned.

Resolution No. 3

Carried

Secretary Treasurer

Chairman