

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, DECEMBER 4, 2017 – 2:00 P.M.
A11/17**

The purpose and effect of the application is to provide relief from the maximum floor area and height requirements for a proposed accessory structure on the subject property. The applicants are proposing to remove an existing barn/shed and replace it with a new accessory storage building that exceeds the permitted size (area) and height. Other variances may be considered where deemed appropriate.

NOTICE OF THIS MEETING was mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on November 23, 2017 pursuant to the provisions of the Planning Act.

PRESENTATION

Curtis Marshall, Senior Planner, reviewed his comments dated November 27, 2017.

Planning Comments: The variances requested provide relief from the maximum height and ground floor area requirements for accessory buildings to permit the construction of a 371.2 m² (3996.0 ft²) detached garage with a height of 5.48 m (18.0 ft). An existing shed/barn with a ground floor area of 166.5 m² (1792.0 ft²) and a height of 7.32 m (24.0 ft) is to be removed. The applicant has indicated that the use of the garage is for personal use (hobbies).

The new garage is proposed to be located in nearly the same location as the existing shed/barn which is to be removed, however the new garage is 204.76 m² (2204.0 ft²) larger in ground floor area. It is Planning Staff's opinion that the proposed garage is too large in size and height for the property. The proposed garage has over twice the ground floor area of the dwelling and is not "accessory", "incidental" or "subordinate" to the main dwelling as required under the definition of an accessory building in the Zoning By-law. The proposed garage is also 4 times larger (a 300% increase) than permitted by the By-law which is not a "minor" increase. Consideration could be given to reduce the proposed size and height of the garage in order for it to be more appropriately sized on the lot and for the neighbourhood.

The Committee should be satisfied that the application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is desirable and appropriate for the development of the subject property and is minor. In addition, the Committee should be satisfied that the proposed accessory building is intended for personal use and not for commercial purposes.

SUBJECT PROPERTY AND LOCATION

The location of the property is described as Part Lot 71, Concession 3 (Egremont), RP 61R-6963, 581 Wellington Street E., Mount Forest. The subject

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land is approximately 0.45 ha (1.1 acres) and is occupied by a dwelling and a shed/barn. The location of the property is shown on Figure 1 below.

PROPOSAL

The variances requested provide relief from the maximum height and ground floor area requirements for accessory buildings to permit the construction of a 371.2 m² (3996.0 ft²) detached garage with a height of 5.48 m (18.0 ft). An existing shed/barn with a ground floor area of 166.5 m² (1792.0 ft²) and a height of 7.32 m (24.0 ft) is to be removed. The applicant has indicated that the use of the garage is for personal use (hobbies).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is located in the Mount Forest Urban Area and is designated FUTURE DEVELOPMENT. Existing uses are permitted in the FUTURE DEVELOPMENT area.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Future Development (FD). Permitted uses include one single detached dwelling and accessory buildings.

The following relief is requested:

	Zoning By-Law (66-01)		
	Required	Requested	Difference
Maximum Ground Floor Area of all Accessory Buildings (Section 6.1.4 b)	92.9 m ² (1000.0 ft ²) on a lot less than 0.8 ha/2.0 ac	371.2 m ² (3996.0 ft ²)	278.3 m ² (2996.0 ft ²)
Maximum Height for an Accessory Building (Section 6.1.3)	4.57 m (15.0 ft)	5.48 m (18.0 ft)	0.91 m (3.0 ft)

CORRESPONDENCE/COMMENTS RECEIVED

Candace Hamm, Environmental Planning Coordinator, SVCA
 - The proposed minor variance is acceptable to SVCA staff

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

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CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

- 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 their application. Mr. Bulley explained that they want to remove the existing barn and replace it with a larger storage building. The existing barn is not used as a barn and is not suitable to store larger items. Currently large items are stored at their business property at Riverstown. They are looking ahead to retirement when that storage won't be available to them. Mr. Bulley presented drawings for a building that would be 27% smaller than originally proposed.

- Persons present to make oral and/or written submissions against the proposed minor variance.

No persons were present to make oral and/or written submissions against the proposed minor variance.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Curtis Marshall, Senior Planner, and Darren Jones, Chief Building Official, reviewed the drawings and indicated the smaller sized structure would be suitable. The building would be 2,912 sq. ft.

Member Yake stated that the applicants have done a lot of work on their property. He is satisfied that the building will be for personal use only and is supportive of the smaller building size.

The Committee of Adjustment of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted the Committee to make an informed decision on this planning matter.

RESOLUTION NUMBER CoA 2017-27

Moved by: Member Yake

Seconded by: Member Hern

THAT the minor variance applied for in Application A11/17, for the property described as Part. Lot 71, Concession 3, geographic Egremont Township (581 Wellington Street East), to provide the following relief:

1. *THAT a total ground floor area of 270.5m² (2,912 sq ft) be permitted, whereas section 6.1.4 b) of the By-law permits a total maximum ground floor area of 92.9 m² (1,000 ft²) for a lot this size; and*

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2. *THAT a maximum Accessory Building Height of 5.48 m (18 ft.) be permitted, whereas section 6.1.3 of the By-law requires 4.5 m (14.8 ft.) be authorized with the following conditions:*
- *That the proposed accessory building is intended for personal use and not for commercial purpose.*

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2017-28

Moved by: Member McCabe

Seconded by: Member Hern

THAT the Committee of Adjustment meeting of December 4, 2017 be adjourned at 2:52 p.m.

CARRIED

Secretary Treasurer

Chair