



Township of Wellington North

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

COMMITTEE OF ADJUSTMENT

Monday, May 17th, 2010 – 7:30 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 3

AGENDA ITEM	PAGE NO.
<p><u>Chairman</u></p> <ol style="list-style-type: none">1. Officially open the public meeting.2. Declaration of Pecuniary Interest and General Nature Thereof.3. Minutes, A3-10 (attached)	01
<p><u>APPLICATION A4/10</u></p> <p>Applicant: Philip Green and Roxanne Caughill</p> <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 21, Division 2, EOSR with a civic address of 9103 Highway 6. The property is occupied by an antique store. The location of the property is shown on the key map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to allow for a chip wagon and portable washroom on the property. The Hamlet Commercial Zone (C5-30) which applies to the property restricts permitted uses to one residential dwelling and one antique store (with related accessory sales and services).</p> <ol style="list-style-type: none">4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on May 4th, 2010 as well as posted on the property.	05

Committee of Adjustment Agenda

May 17th, 2010

Page 2 of 3

AGENDA ITEM	PAGE NO.
5. Township Planner – Mark Van Patter will review the County comments	06
6. Correspondence/Comments received: - None	
7. 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	

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A3/10

The Committee of Adjustment met on Monday, April 19, 2010 at the Kenilworth Municipal Office, at 7:00 p.m.

**Members Present: Chairman: Mike Broomhead
Ross Chaulk
Bob Mason
John Matusinec
Dan Yake**

**Also Present: Alt. Secretary-Treasurer, Lorraine Heinbuch
Executive Asst., Cathy Conrad
Township Planner, Linda Redmond**

1. The Chairman called the meeting to order.

2. **Disclosure of Pecuniary Interest and General Nature Thereof**

None

3. **Minutes**

**Moved by: Councillor Matusinec
Seconded by: Councillor Mason**

***THAT the Committee of Adjustment meeting minutes of March 1, 2010
– A1/10 and A2/10 be adopted as presented.***

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A3/10 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A3/10

Page Two

APPLICATION A3/10

Applicant: Abner B. Wideman and Adeline Wideman

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 3, Concession 6 with a civic address of 9545 Concession 6 N. The property is occupied by a farm equipment sales and service business.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required rear yard and interior side yard setbacks to a utility shed. The applicants are proposing to construct a new 1114 sq.m (12,000 sq.ft.) shed and the variances are required in order to facilitate this. The variance may also address regulations dealing with any other site regulations deemed appropriate.

4. The Alt. Secretary-Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on April 7, 2010 as well as posted on the subject property.
5. Linda Redmond, Township Planner, County of Wellington

Ms. Redmond reviewed her correspondence dated March 22, 2010. The variances requested would provide relief from sections 23.2.4 & 23.2.6 of the Zoning By-law to allow a reduced interior side yard and rear yard to allow the construction of a 1114 sq.m (12,000 sq.ft.) building.

The applicant has not justified the need for such a large reduction in the rear and side yard setbacks and as such. The planning department had concerns with the relief requested at this time. The Committee should consider the need for the reduced setbacks and whether the request is minor, desirable and appropriate for the development of the subject property and 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

COMMITTEE OF ADJUSTMENT

A3/10

Page Three

The Wellington County Official Plan designates the subject property as Prime Agricultural. Under the Wellington North Zoning By-law the subject lands are zoned Agriculture Commercial. The applicants are proposing to construct a new 1114 sq.m (12,000 sq.ft.) utility shed on the subject lands and are requesting relief from the minimum rear yard and interior side yard setbacks. The following relief is requested:

1. An interior side yard setback of 1.2m (4 ft), whereas the by-law requires 6 m (19.7 ft). A difference of 4.78m (15.7 ft).
2. A rear yard setback of 1.2 m (4 ft), whereas the by-law requires 7.6m (24.9 ft). A difference of 6.4 m (20.9 ft).

The new building will be subject to site plan approval.

The property owner filed an application for a lot line adjustment with the farm surrounding the subject property within the past week. This would double the size of the subject property. The planner suggested deferring the minor variance until the lot line adjustment is dealt with.

6. Correspondence/Comments received from:

Saugeen Valley Conservation Authority
- No objection

7. Questions/Comments

The applicant's agent, Bruce Fulcher was present to answer any questions or address comments. Mr. Fulcher would like the minor variance application and the lot line adjustment kept separate. The existing small building is used for off loading and welding fabrication. Construction of a new larger building will eliminate safety hazards that are currently occurring. Reduction of setbacks will not interfere with the farm adjacent to the property. The additional property will be reserved for the display of equipment. The owner wants to create a maintenance free storm water management area within the reduced setbacks.

No one was present in support of the proposed minor variance.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A3/10

Page Four

No one was present to make oral and/or written submissions against this application.

Those wishing to be notified of the decision were asked to leave their name and address with alternate secretary-treasurer.

Council Comments/Questions:

Councillor Yake felt that there were some issues that needed to be addressed by the Planning Department and that Council should go along with the Planner's recommendation to defer the requested minor variance.

Councillor Chaulk stated that he knows the property and neighbouring farms but would like to ensure everything is in order before proceeding.

Mayor Broomhead commented that the lot line adjustment application has just been submitted and has not been circulated and stated that the County needs to give approval for the project before a minor variance is granted.

Moved by: Councillor Yake
Seconded by: Councillor Matusinec

That the minor variance applied for in Application A3/10 be deferred.

Resolution No. 2

Carried

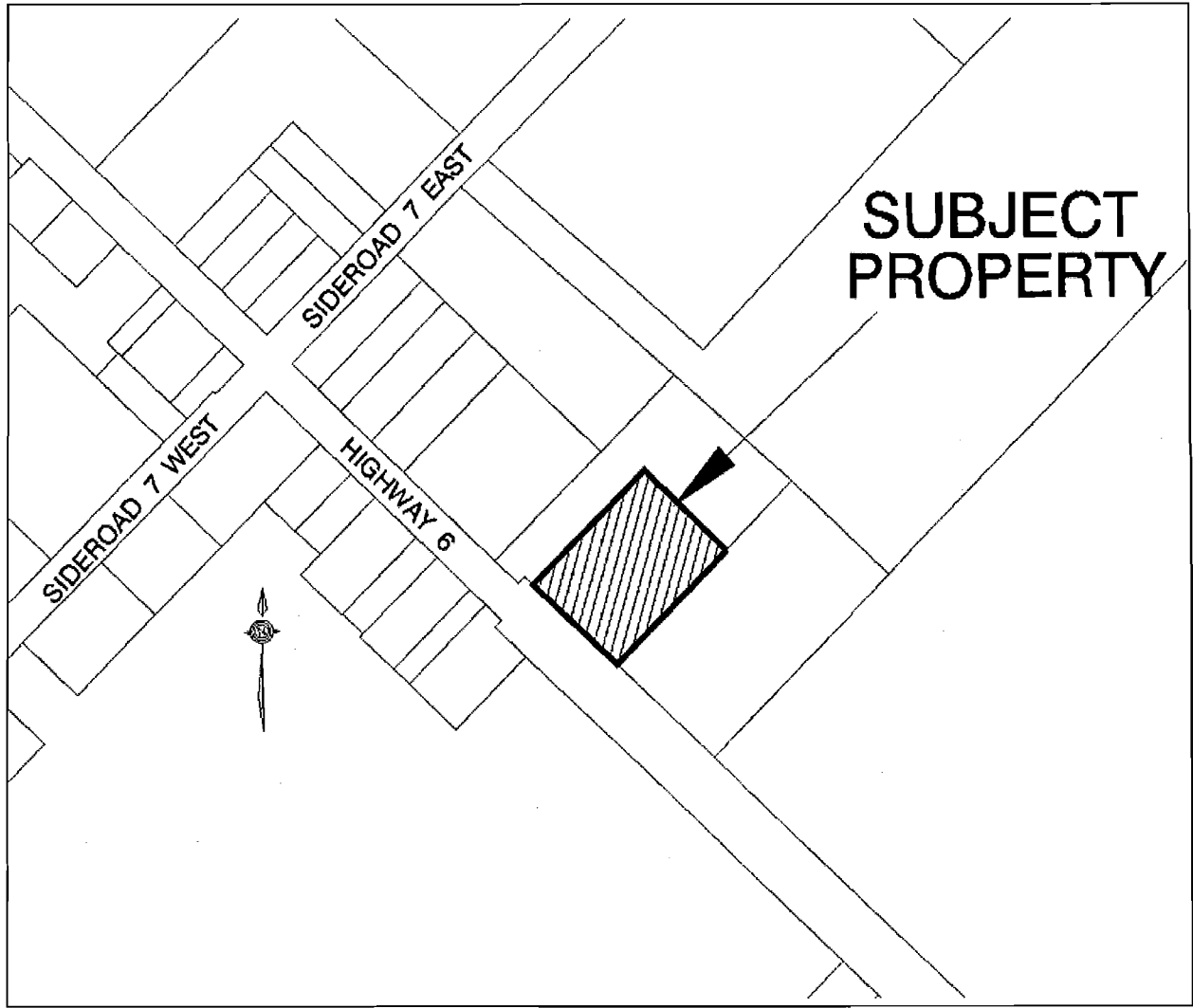
8. Adjournment

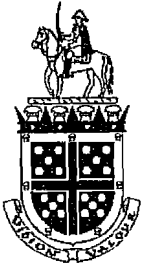
Moved by: Councillor Mason
Seconded by: Councillor Chaulk

That the Committee of Adjustment meeting of April 19, 2010 be adjourned.

Resolution No. 3

Carried





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

May 11, 2010

Mr. Darren Jones, Building Inspector
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: Minor Variance Application A4/10
Part Lot 21, Division 2, EOSR
9103 Highway 6, Wellington North
Green/Caughill

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

Planning Opinion: The variance requested would provide for a chip wagon to be established on the property. We have no concerns with the relief requested at this time. If this application is approved by the Committee we would recommend that the approval be subject to the following condition:

That the variance applies only to permit development of the site substantially in accordance with the plan dated April 23, 2010 drawn by Roxanne Caughill, this also includes the provision of the buffer strips shown along the property boundaries.

Wellington County Official Plan: The subject property is designated HAMLET (Kenilworth) and PRIME AGRICULTURAL. With respect to the Hamlet boundary, Section 14.2 of the Official Plan states "To ensure the public interest and to prevent undue hardship flexibility may be used to allow minor deviations from the text or map. This flexibility is to be exercised keeping in mind the intent of this Plan and sound community planning principles." We are satisfied that such flexibility is warranted in this situation as the full extent of the property is within a commercial zone and as such, would consider the entire property to form part of the Hamlet. Local commercial uses may be permitted in Hamlets where compatible and where adequate levels of service can be provided.

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 Hamlet Commercial Site-Specific (C5-30) which permits the following uses:

- one residential dwelling; and
- one antique store, and related accessory sales and service.

The applicants are proposing to establish a chip wagon on the property. The sketch submitted in support of the application (dated April 23, 2010) shows the location of the chip wagon and buffering along the north, south and east property lines. At 220 sq. ft. in size, the chip wagon would be considered small scale. The placement of the chip wagon on the property back from the road and the proposed buffering along the property lines would appear to mitigate any compatibility issues with surrounding uses.

A portable washroom was included as part of the minor variance request. I discussed this aspect of the application with Ms. Caughill. It is my understanding that washroom facilities are not required for either the antique store or the chip wagon. As there are no washrooms accessible to the travelling public in Kenilworth other than for patrons of the Kenilworth Country Kitchen, the applicants wish to provide one as a courtesy during the summer months. This seasonal, temporary use does not require a minor variance.

SITE PLAN

It is my understanding that site plan approval would not be required by the Township for this use.

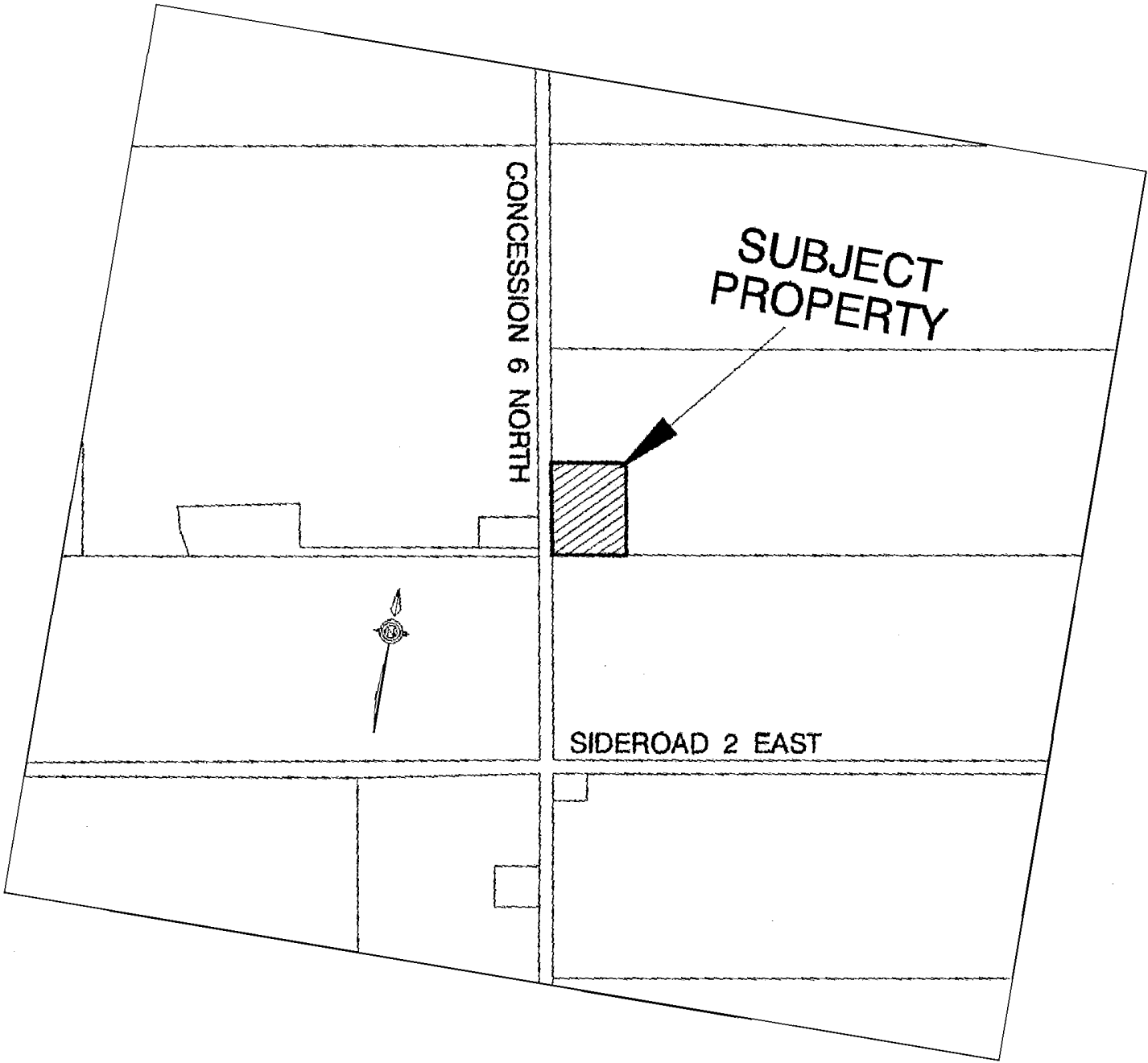
I trust that these comments will be of assistance to the Committee in their consideration of this matter.

Yours truly,



Sarah Wilhelm, MCIP, RPP
Planner

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A3/10</u></p>	
<p>Applicant: Abner B. Wideman and Adeline Wideman</p>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 3, Concession 6 with a civic address of 9545 Concession 6 N. The property is occupied by a farm equipment sales and service business. The location of the property is shown on the map attached.</p>	08
<p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required rear yard and interior side yard setbacks to a utility shed. The applicants are proposing to construct a new 1114 sq.m (12,000 sq.ft.) shed and the variances are required in order to facilitate this. The variance may also address regulations dealing with any other site regulations deemed appropriate.</p>	
<p>8. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on March 7th, 2010 as well as posted on the property.</p>	
<p>9. Township Planner – Mark Van Patter will review the County comments; - March 22, 2010 - May 12, 2010</p>	09 11
<p>10. Correspondence/Comments received: - Bruce Fulcher – Applicants Agent</p>	13
<p>- Saugeen Valley Conservation Authority – no objection</p>	16
<p>11. 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> <p>- Comments and questions</p>	
<p>12. Adjournment.</p>	





COUNTY OF WELLINGTON

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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

March 22, 2010

Mr. Darren Jones, Building Inspector
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A3/10**
Part Lot 3, Concession 6
9545 Concession 6 N
Wideman

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

Planning Opinion: The variances requested would provide relief from sections 23.2.4 & 23.2.6 of the Zoning By-law to allow a reduced interior side yard and rear yard to allow the construction of a 1114 sq.m (12,000 sq.ft.) building.

The applicant has not justified the need for such a large reduction in the rear and side yard setbacks and as such we have concerns with the relief requested at this time. The Committee should consider the need for the reduced setbacks and whether the request is minor, desirable and appropriate for the development of the subject property.

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.

Wellington North Zoning By-law: The subject lands are zoned Agriculture Commercial (AC). The applicants are proposing to construct a new 1114 sq.m (12,000 sq.ft.) utility shed on the subject lands and are requesting relief from the minimum rear yard and interior side yard setbacks. The following relief is requested:

1. An interior side yard setback of 1.2m (4 ft), whereas the by-law requires 6 m (19.7 ft). A difference of 4.78m (15.7 ft).
2. A rear yard setback of 1.2 m (4 ft), whereas the by-law requires 7.6m (24.9 ft). A difference of 6.4 m (20.9 ft).

Page 2
Variance A3/10

SITE PLAN

The new building will be subject to site plan approval.

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.
Planner



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

May 12, 2010

Mr. Darren Jones, Building Inspector
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A3/10**
Part Lot 3, Concession 6
9545 Concession 6 N
Wideman

At the meeting of April 19th, 2010 the Committee of Adjustment deferred the above application in order to allow the applicant an opportunity to provide more information. On April 24th, 2010 staff met with Mr. Wideman and his agent Mr. Fulcher to discuss the proposal. The owner advised that the need for the reduced setbacks are needed in order to provide an appropriate distance between the proposed building and the existing building. The owner also advised that the two buildings will function together and are needed in close proximity to each other.

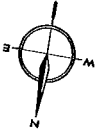
The additional lands that are being considered through the consent process are proposed for the display of the farm equipment.

Based on this staff is satisfied that the variances as requested are minor.

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



NO.	DESCRIPTION	DATE

DECLARATION OF DESIGNER
 I, the undersigned, being a duly Licensed Professional Engineer in the State of Michigan, do hereby certify that I am the Designer of the above described project and that I am a duly Licensed Professional Engineer in the State of Michigan.

Seal Missing
 Seal Expired

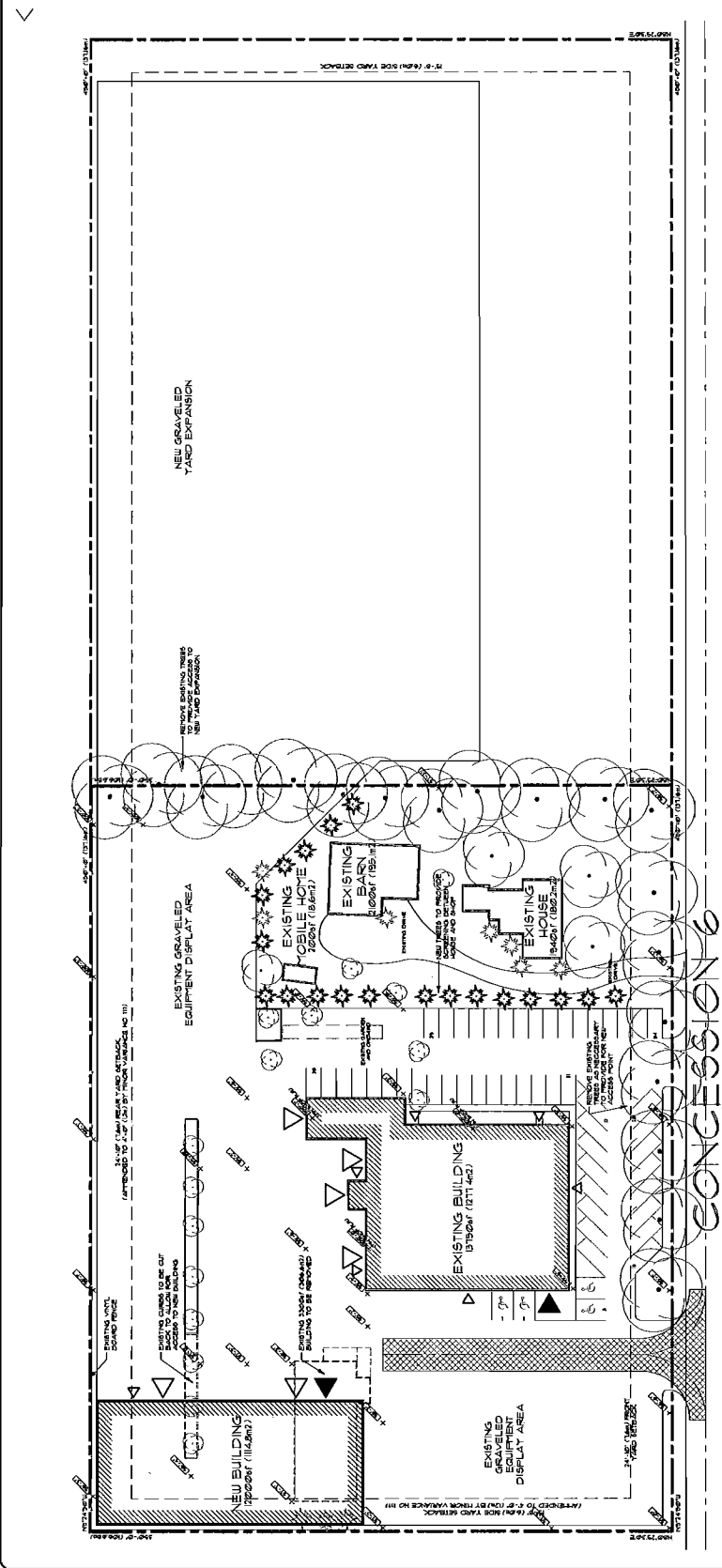
DESIGNER'S SIGNATURE: _____
 PROFESSIONAL ENGINEER
 LICENSE NO. _____
 EXPIRES _____



PROJECT:
 MAPLE LANE
 FARM SERVICE

CONTRACT TITLE:
 LOT GRADING PLAN

DATE: 07/11/22
SCALE: 1/8" = 1'-0"
PROJECT NO.: 073-0283
DATE: 07/11/22
APP. NO.: A12



SITE PLAN
 07/11/22

LEGEND

- ▲ PRINCIPLE ENTRANCE
- △ VEHICULAR ACCESS
- ▽ PEDESTRIAN ACCESS
- FIRE ROUTE
- ▨ EXISTING BUILDINGS
- ▩ EXISTING BUILDINGS TO BE DEMOLISHED
- PROPERTY LINE
- - - BUILDING SETBACK LINE

May 5, 2010

Mr. Darren Jones, Building Inspector
Twp of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, On N0G 2E0

Dear Mr. Jones:

Re: Minor Variance Application A3/10
Part Lot 3, Concession 6
9545 Concession 6 N

The owners of this property would like to proceed with this application at the next scheduled council meeting, as it was tabled at the meeting of April 19, 2010.

As per the discussion that evening, I and one of the principals of Maple Lane Farm Services met with Linda Redmond of County Planning on April 23, 2010 to review the site plan concept and functionality of the new building. Ms Redmond seemed satisfied that the request was reasonable and the only issue was whether there was a desire to combine the two applications in order to combine the potential additional variances with this one in order to reduce application fees.

The discussion on the reduced setback was that the proposed building location worked best in that location (see attached site plan drawing) because of the nature of the work flow between the proposed fabrication section of that building and the existing facility. Also, with the reduced setback, there would be adequate separation to allow the movement of equipment between the two buildings. Finally, the preference is that the doors face south in order to reduce exposure to the prevailing winds when the doors are open for extended periods while repairing large equipment.

The owners are requesting your consideration of this request in order for them to proceed with construction. Any additional issues arising from the lot addition will be dealt with subsequent to that hearing on June 10, 2010.

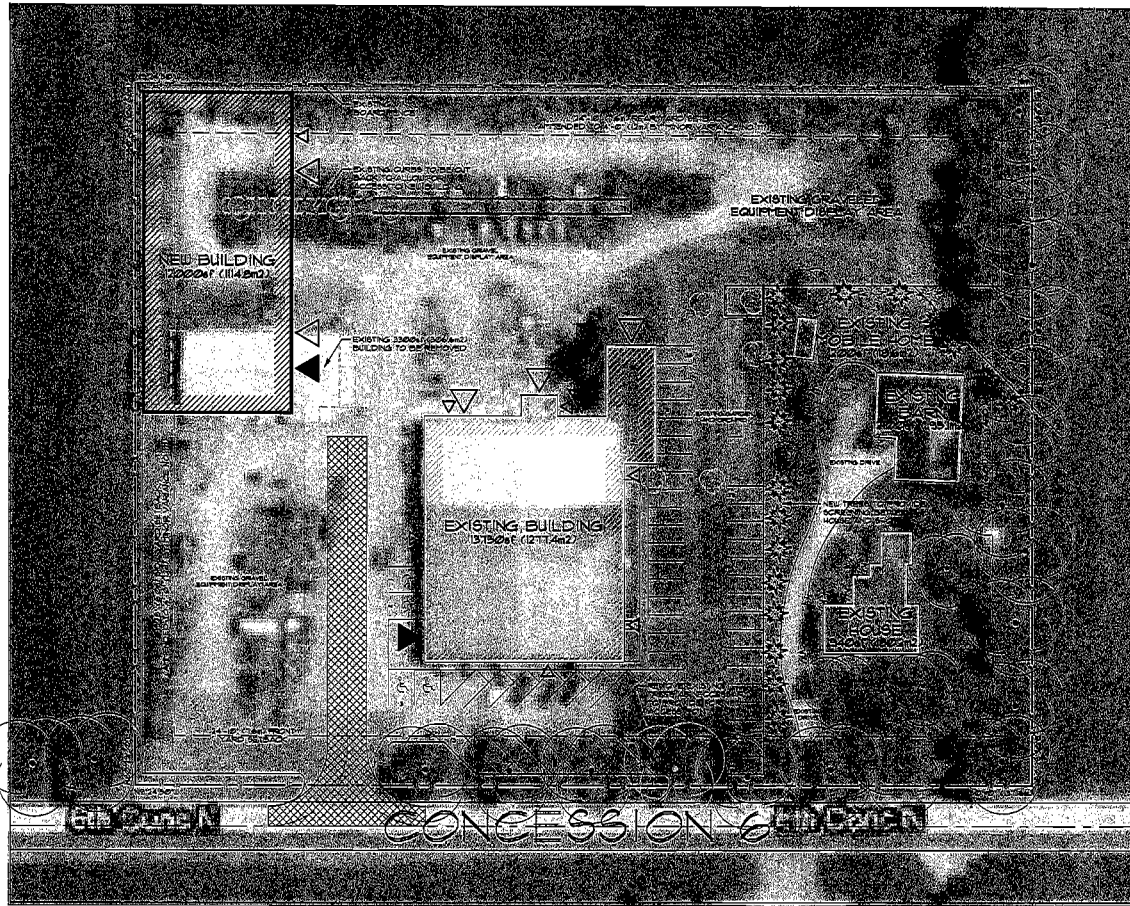
For the record, the County Committee of Adjustment were sent the necessary photographs with that application, and the Township Committee of Adjustment have been forwarded copies as well and have been invited to tour the facility to view the proposal first hand.

I trust you will find all in order.

Yours truly,

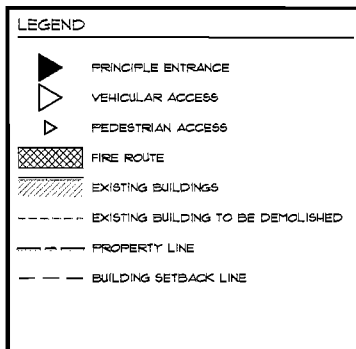


Bruce Fulcher
Applicant



SITE PLAN

1/2" = 1' - 0"

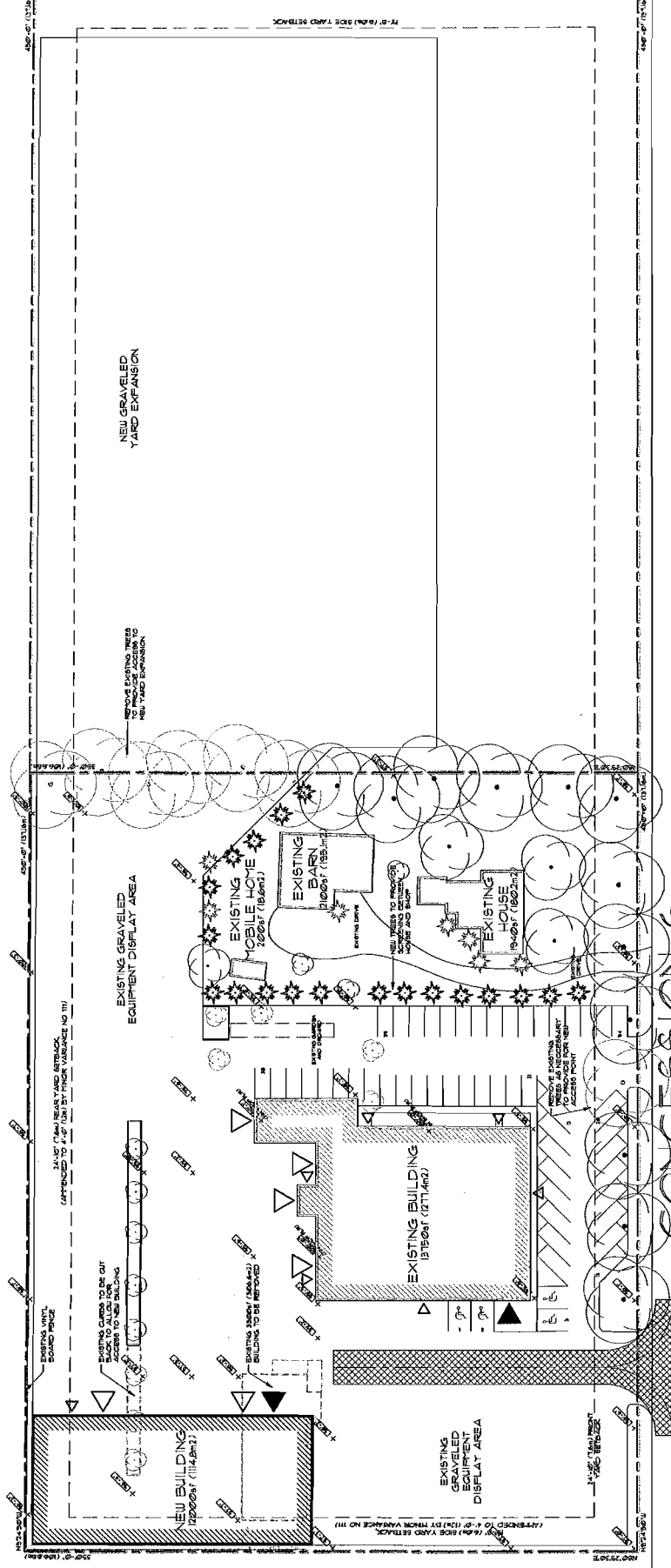


SITE DATA

ZONING:	AC (AGRI COMMERCIAL)	SETBACKS:	FRONT (WEST): 7.6m (24'-10")
LEGAL DESCRIPTION:	PART OF LOT 3 CONCESSION 6 PLAN 61 RT1201, 9541 CONCESSION 6 N, RR76 MOUNT FOREST, ONT, N06 2LD	FRONT (SOUTH): 6.0m (19'-8")	SIDE (SOUTH): 12m (4'-0")
TOTAL SITE AREA:	1,46ha (3,66ac)	REAR:	12m (4'-0")
LOT FRONTAGE:	131.2m (430'-0")	*AS PER MINOR VARIANCE #11	
LOT DEPTH:	106.7m (350'-0")	PARKING:	
BUILDING DATA:		REQUIRED SPACES:	
EXISTING SHOP:	1277.4m² (13750sf)	RETAIL SPACES:	18.6m² (200sf) + 194/200 * 2
EXISTING BARN:	195.7m² (2120sf)	OFFICE SPACES:	69.7m² (750sf) + 301/750 * 3
EXISTING HOUSE:	180.2m² (1940sf)	INDUSTRIAL SPACES:	143.2m² (1540sf) + 569/1540 * 3
NEW SHOP:	114.8m² (1240sf)	WAREHOUSE SPACES:	143.2m² (1540sf) + 2153/1540 * 4
TOTAL BLDG AREA:	2767.6m² (29730sf)	9 SERVICES BAYS = 4 SPACES PER BAY = 36	TOTAL SPACES = 2-3-3-4+36+54
LOT COVERAGE:		PROVIDED:	
LOT SIZE:	14632.2m² (157500sf)	51 SPACES @ 2.75m x 5.50m (9'-0" x 18'-0")	
BUILDINGS:	2767.6m² (29730sf)	4 BF SPACES @ 3.3m x 5.50m (10'-0" x 18'-0")	
TOTAL COVERAGE:	18.9%		

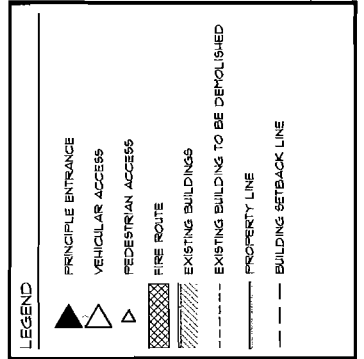
ONTARIO BUILDING CODE DATA MATRIX

ITEM	PROJECT DESCRIPTION	PART AND AREA		
		PART 1	PART 2	PART 3
1	NEW WAREHOUSE AND PARKING BELONGING FOR MARKING FROM SERVICE MOUNT FOREST, ONT			
2	SEARCH OCCUPANCY CLASSIFICATION			
3	BUILDING AREA: GROSS FLOOR AREA	NEW: 2200 SF (11148)	TOTAL: 10000 SF (11148)	
4	FLOOR AREA: GROSS FLOOR AREA	NEW: 2200 SF (11148)	TOTAL: 10000 SF (11148)	
5	NUMBER OF STOREYS	NO. OF STOREYS	TOTAL HEIGHT (TOTAL)	13.52
6	HEIGHT OF BUILDING	HEIGHT OF BUILDING	TOTAL HEIGHT (TOTAL)	13.52
7	NUMBER OF STOREYS ABOVE GROUND	NO. OF STOREYS	TOTAL HEIGHT (TOTAL)	13.52
8	BUILDING CLASSIFICATION	CLASSIFICATION		13.52
9	SPRINKLER SYSTEM PROVIDED	CLASSIFICATION		13.52
10	STAIRWAYS REQUIRED	CLASSIFICATION		13.52
11	FIRE ALARM REQUIRED	CLASSIFICATION		13.52
12	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
13	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
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81	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
82	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
83	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
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97	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
98	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
99	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52
100	WATER SUPPLY SYSTEM	CLASSIFICATION		13.52



SITE PLAN

1/2" = 1'-0"





261123 Grey Rd. 28
Municipality of West Grey
(former Normanby Twp.)

Mailing Address:
R.R. 1, Hanover, ON
Canada N4N 3B8

Tel 519-364-1255
Fax 519-364-6990
www.svca.on.ca
publicinfo@svca.on.ca

April 13, 2010

RECEIVED

APR 13 2010

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

TWP. OF WELLINGTON NORTH

ATTENTION: Darren Jones, Building/Zoning Dept.

Dear Mr. Jones:

RE: Proposed Minor Variance A3/10
Part Lot 3, Concession 6
Geographic Township of Arthur
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposed minor variance in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. The SVCA has no objection to the approval of this proposed minor variance.

For this particular property, there are no natural heritage features or natural hazards affecting the property.

All of the plan review functions listed in the agreement have been assessed with respect to this proposed minor variance, the Authority is of the opinion that the proposed minor variance appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the agreement.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Yours sincerely,

Erik Downing
Environmental Planning Technician

ED/

cc: Mark Mackenzie, Director SVCA, via email

Conservation
Through
Cooperation

A MEMBER OF



Conservation
ONTARIO
Natural Champions