



# Township of Wellington North

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

## COMMITTEE OF ADJUSTMENT

Monday, November 7th, 2011 – 7:15 p.m.

Municipal Office Council Chambers, Kenilworth

## A G E N D A

Page 1 of 3

AGENDA ITEM	PAGE NO.
<p><u>Chairman</u></p> <ol style="list-style-type: none"><li>1. Officially open the public meeting.</li><li>2. Declaration of Pecuniary Interest and General Nature Thereof.</li><li>3. Minutes, A6/11 (attached)</li></ol>	01
<p><b><u>APPLICATION A7/11</u></b></p>	
<p><b>Applicant: Michael Neal and Brenda Neal</b></p>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 32, Concession 4, with a civic address of 7429 Third Line. The property is approximately 2.4 hectares (6 Acres) in size and occupied by a residential dwelling and accessory structure. The location of the property is shown on the map attached.</p>	05
<p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required maximum size of an accessory structure under the Wellington North Zoning By-law. The subject lands are zoned Agricultural (A). Other variances may be considered where deemed appropriate.</p>	
<ol style="list-style-type: none"><li>4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on October 27th, 2011 as well as posted on the property.</li></ol>	
<ol style="list-style-type: none"><li>5. Application for a Minor Variance</li></ol>	06

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
6. Township Planner – Linda Redmond will review the County comments (attached).	11
7. Correspondence/Comments received:  - None	
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?  Those wishing to be notified of decision please leave name and address with secretary-treasurer.  Committee:  - Comments and questions	

AGENDA ITEM	PAGE NO.
<p><b><u>DEFERRED APPLICATION A5/11</u></b></p> <p><b>Applicant: Noah Martin and Verna Martin</b></p> <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 18, Concession 10, RP 61R9990; Part 1, with a civic address of 7044 Sideroad 7 West. The property is approximately 1.86 hectares (4.59 Acres) in size and occupied by a residential dwelling. The location of the property is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required maximum size of an accessory structure under the Wellington North Zoning By-law. The subject lands are zoned a combination of Agricultural (A) and Natural Environment (NE). Other variances may be considered where deemed appropriate.</p>	13
9. Copy of A5/11 Minutes from September 12, 2011.	14
10. Request to withdraw application from Applicant.	
11. Adjournment.	



TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A6/11

Page Two

APPLICATION A6/11

**Applicant: Benjamin Dingwall**

THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 13, with a civic address of 294 Wellington Street East, Mount Forest. The property is approximately 1002 sq.m (10,790 sq.ft.) in size and has frontage on Egremont and Wellington Streets.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required front yard setback. The applicant has recently constructed a semi-detached dwelling and has a front yard deficiency of 0.09 m. The property is located in a Residential (R2) zone. Other variances may be considered where deemed appropriate.

4. The Secretary Treasurer confirmed that the original notice was mailed to surrounding property owners within 120 metres and required agencies on October 5, 2011 as well as posted on the property.
5. Mark Van Patter, Township Planner, reviewed Ms. Redmond's comments dated October 11, 2011.

The variances requested would provide relief from section 12.2.2.5 of the Zoning By-law to allow a reduced front yard of a semi detached dwelling.

The no concerns with the relief requested at this time. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

The subject property is designated Residential in the Mount Forest Urban area under the Wellington County Official Plan. 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.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A6/11

Page Three

Under the Wellington North Zoning By-law the subject lands are zoned Residential (R2). The applicants have demolished the existing dwelling and constructed a new semi-detached bungalow (2 units) on the subject lands. Prior to the construction of the semi-detached dwelling the property received two variances to allow a reduced rear yard and front yard setback. The applicants are requesting a further reduction in the front yard setback to allow a front yard setback of 5.67m (18.6 ft), whereas 5.76m (18.9 ft) is required (variance A1/11), a difference of 0.09 m.

6. Correspondence/Comments received:

- Saugeen Valley Conservation Authority  
Erik Downing, Environmental Planning Coordinator (Acting)
- no objection

7. Questions/Comments

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

The Applicant and his Agent was present to answer any questions regarding the application.

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.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A6/11

Page Four

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the minor variance applied for in Application A6/11 be authorized.*

Resolution No. 2

Carried

8. Adjournment (7:18 p.m.)

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*That the Committee of Adjustment meeting of October 17, 2011 be adjourned.*

Resolution No. 3

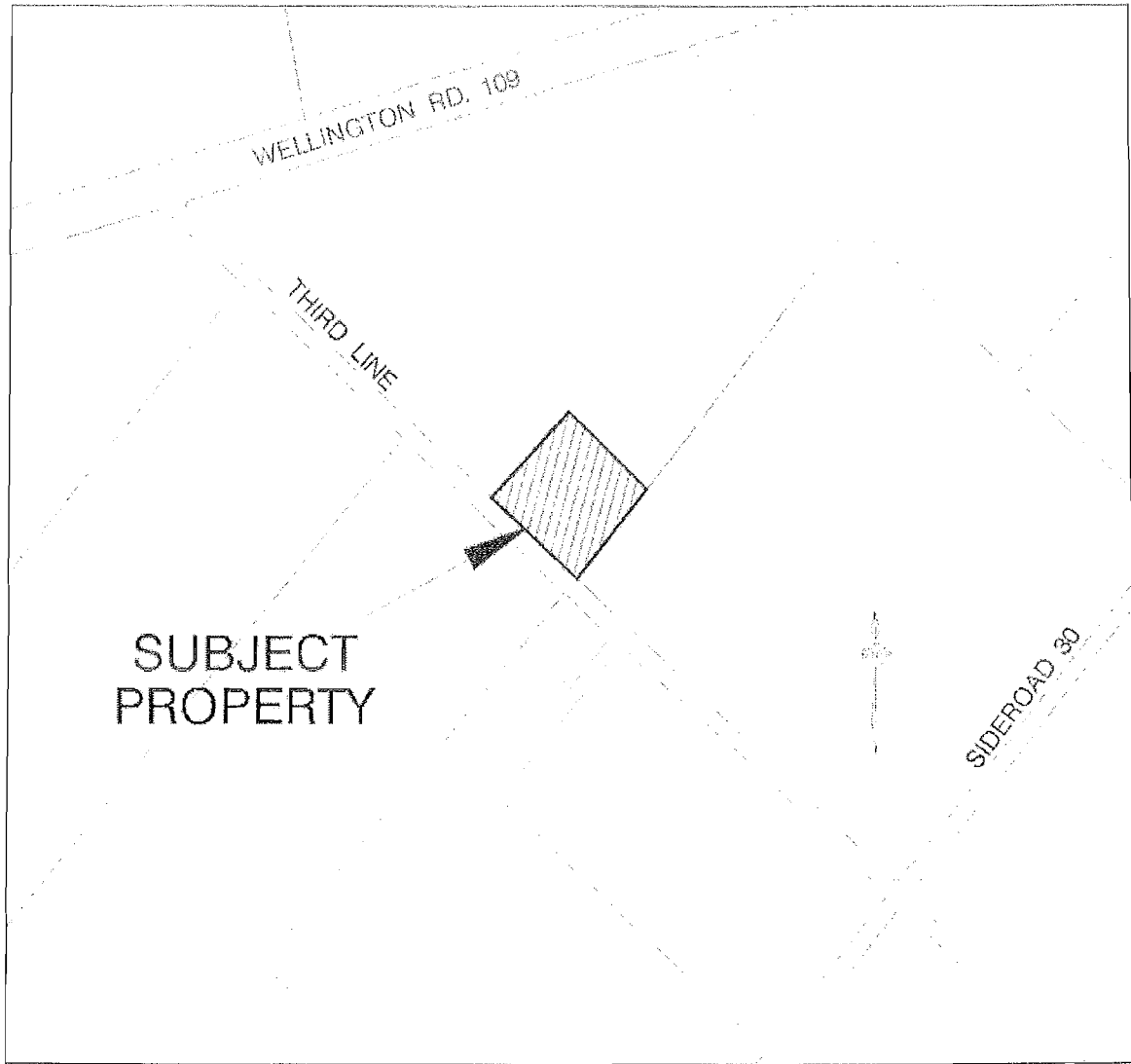
Carried

---

Alternate Secretary Treasurer

---

Chairman







TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: October 20, 2011

File Number: A 7/11

Roll # 23-47-000-013 12500-13000

Date Application Filed: \_\_\_\_\_

Application Fee Received: \$ 720.00

A. GENERAL INFORMATION

1.\* APPLICANT INFORMATION

a)\* Registered Owner's Name(s): Branda Louise NEAL + Michael Scott NEAL

Address: 7424 THIRD LINE, RR#3 ARTHUR, ONT. N0G 1A0

Phone: Home (519) 848-2132 Work ( ) Fax \_\_\_\_\_

Email: mueneal@oneberty.com

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

b)\* Applicant (Agent) Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: Home ( ) Work ( ) Fax ( )

Email: \_\_\_\_\_

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: 7424 THIRD LINE, RR#3 ARTHUR, ONT. N0G 1A0

Concession: 4 Lot: PT 32 Registered Plan No.: \_\_\_\_\_

Area: \_\_\_\_\_ Depth: 614 Frontage (Width): 526 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

3d).\* 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

N/A

4.\* WHAT IS THE CURRENT OFFICIAL PLAN AND ZONING STATUS?

Official Plan Designation: R-1

Zoning: R

**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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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?

THIRD LINE

**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)

2700 ft<sup>2</sup> Storage Shed

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

-> shelter for car hauler, tractor, wood.  
-> to replace existing (35x50') shed.

**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)	_____	_____	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	_____	_____

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 1999

DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY: MAY 2001

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

17.\* IF THE ANSWER TO QUESTION 15 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:  
File No. of Application: B57  
Purpose of Application: sever excess farm land  
Status of Application: approved in 2005

G. AUTHORIZATION FOR AGENT/SOLICITOR ON OWNER'S BEHALF:

(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) M + B NEAL 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<sup>th</sup> day of OCTOBER, 2011.

Brandon Neal  
Signature of Owner or Authorized Solicitor or Authorized Agent

11 OCT 2011  
Date

[Signature]  
Signature of Commissioner

[Signature]  
Date

CAROLINE E. MOORE, 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]  
Signature of Municipal Employee

[Signature]  
Date

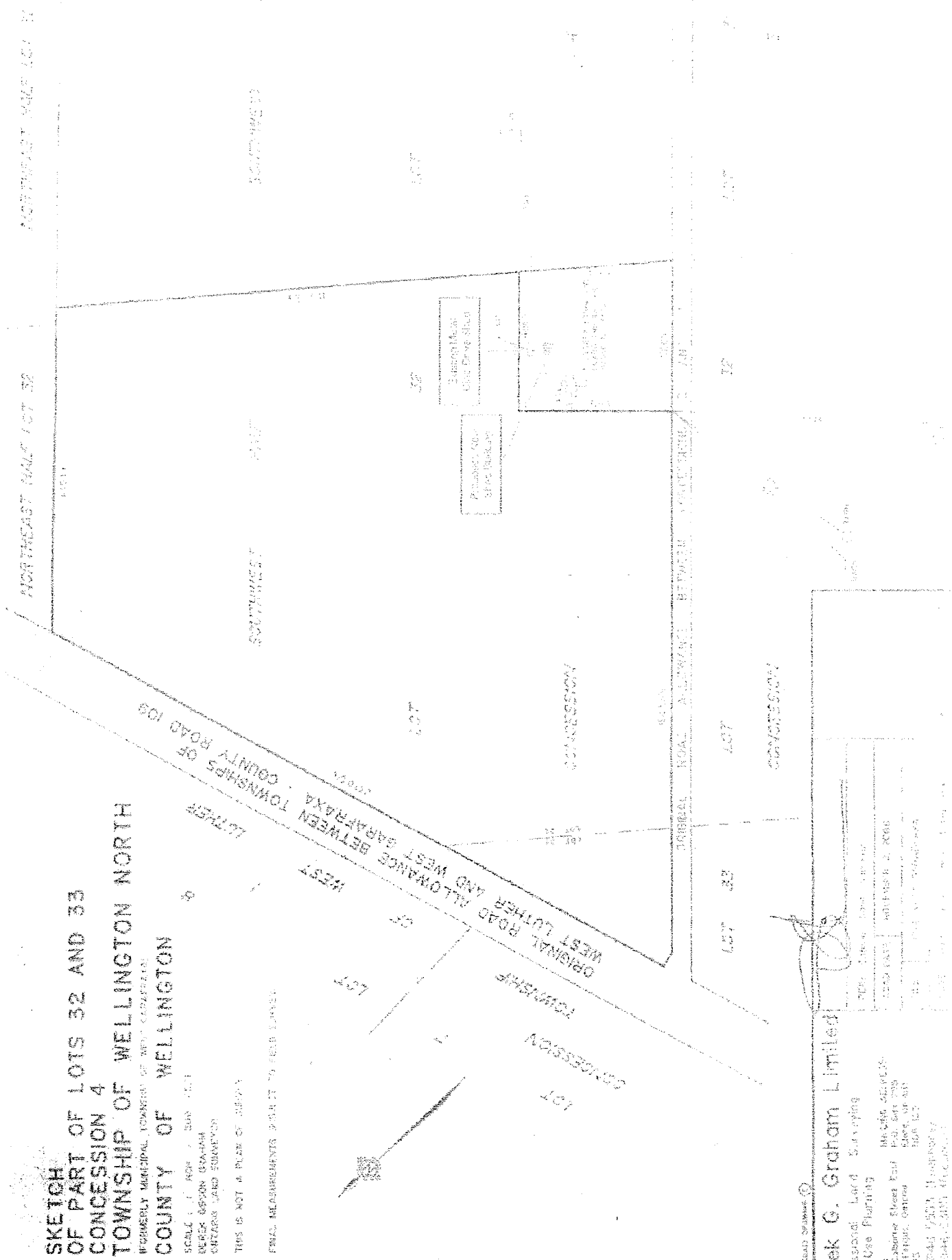
**SKETCH  
OF PART OF LOTS 32 AND 33  
CONCESSION 4  
TOWNSHIP OF WELLINGTON NORTH  
COUNTY OF WELLINGTON**

(FORMERLY MUNICIPAL TOWNSHIP OF WEST CARleton)

SCALE: 1" = 40M (1:40,000)  
DEREK G. GRAHAM  
CHARTERED LAND SURVEYOR

THIS IS NOT A PLAN OF SURVEY

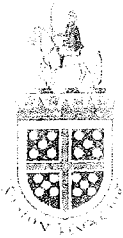
FINAL MEASUREMENTS SUBJECT TO FIELD LINES



306 ACCORD TO FORM 6

**Derek G. Graham Limited**

Professional Land Surveying  
Land Use Planning  
OFFICE:  
1000 Cabot Street East  
Unit 1, P.O. Box 275  
Scarborough, Ontario  
M1B 2Y2  
Tel: (416) 291-1111  
Fax: (416) 291-1112



## 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

October 27, 2011

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 A7/11**  
**Pt Lot 32, Concession 4**  
**7429 Third Line**  
**Neal**

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

**Planning Opinion:**

The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a rural residential lot. The applicant is proposing to construct a 204 sq.m (2200 sq.ft.) shed, whereas the by-law allows accessory buildings with a maximum coverage of 92.9 m<sup>2</sup> (1000 sq.ft). There is an existing shed on the property which is proposed to be removed.

Given the size of the subject property and neighbouring agricultural lots 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. Provided the Committee is satisfied that the application would maintain the general intent and purpose of the Official Plan and Zoning By-law we would have no concerns with the proposed minor variance.

**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 Agricultural (A). The property is currently occupied by a residence and a 162.5 sq.m. (1700 sq.ft.) shed. The applicants are proposing to remove the existing shed and construct a new one that will be 204 sq.m.(2200 sq.ft.) in size. The application states that the proposed shed is to be used for the storage of a trailer, tractor and wood. The following relief from the Zoning By-law is required:

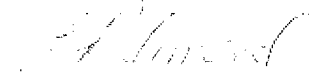
1. A total floor area of 204m<sup>2</sup> (2200 sq.ft.) whereas section 6.1.4 ii) of the by-law allows a maximum floor area of 92.9 m<sup>2</sup> (1000 sq.ft.) for all accessory structures;

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.

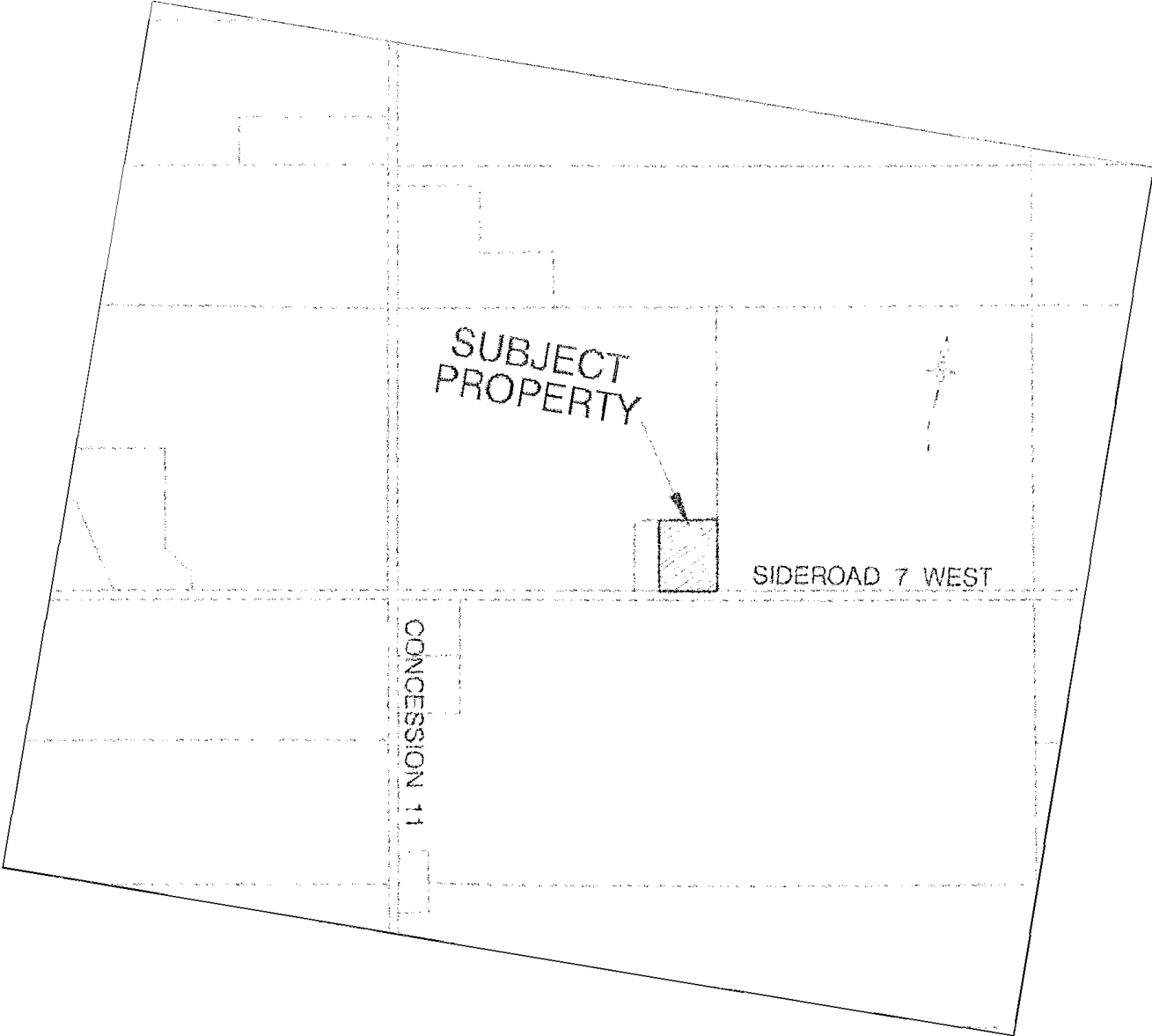
The impact on the immediate area of this property appears to be minimal. The property is approximately 6 acres in size, is located in a rural area of the Township and is surrounded by larger farm parcels which are zoned agricultural.

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

Yours truly,



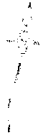
Linda Redmond, B.A.  
Planner



SUBJECT  
PROPERTY

SIDEROAD 7 WEST

CONCESSION 11







TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/11

Page Two

APPLICATION A5/11

**Applicant: Noah Martin and Verna Martin**

THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 18, Concession 10, RP 61R9990; Part 1, with a civic address of 7044 Sideroad 7 West. The property is approximately 1.86 hectares (4.59 Acres) in size and occupied by a residential dwelling.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the required maximum size of an accessory structure under the Wellington North Zoning By-law. The subject lands are zoned a combination of Agricultural (A) and Natural Environment (NE). Other variances may be considered where deemed appropriate.

4. The Secretary Treasurer confirmed that the original notice was mailed to surrounding property owners within 120 metres and required agencies on August 30, 2011 as well as posted on the property.
5. Linda Redmond, Township Planner, reviewed her comments dated September 6, 2011.

The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a residential lot. The applicants are proposing to construct a 371.6 sq m (4000 sq ft) accessory structure whereas 92.9 sq m (1000 sq ft) would normally be the maximum. The applicants have stated that they intend to use a portion of the building as a garage and personal storage and the remainder to store excavating equipment.

The Planning Department had concerns with the size and scale of the proposed structure. In addition we have concerns with the use of the building. 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 structure will be for personal storage only and not for commercial or residential purposes except as permitted and regulated under the home industry criteria as outlined in section 6.14.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/11

Page Three

Under the Wellington County Official Plan the subject property is designated Prime Agricultural and Core Greenlands. 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 should be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Under the Wellington North Zoning By-law the subject lands are zoned Agricultural (A) and Natural Environment (NE). The applicants are proposing to construct a 371.6 sq.m (4000 sq.ft. ) accessory structure in order to store personal vehicles, lawn and garden equipment as well as excavation equipment. The zoning by-law limits the size of all accessory structures on residential properties. As such, the following relief is required:

1. To allow a combined area of 371.6 m<sup>2</sup> (4000 sq.ft) for an accessory structure, whereas the by-law allows a maximum 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.

This application is for a minor variance to allow an oversized accessory structure. The reason stated for the large size is to accommodate excavation equipment storage. At this time staff was unaware of the nature of this business with respect to size and scale. The current zoning by-law does not permit an excavating or contractors yard within the Agricultural zone if this is in fact the use of the building. The Provincial Policy Statement (PPS) and Wellington County Official Plan provide policy direction related to permitted uses within PRIME AGRICULTURAL areas which include agricultural uses, secondary uses (home industries and home occupations) and agriculture-related uses. Home Industries are one type of Home Business which may be permitted “*as a means of supplementing farm incomes and providing services in agricultural areas.*” Home Industries are also expected to be small in scale with a limited number of employees, and minimal off-site impacts. Examples include minor equipment repair, woodworking, crafts, and welding.

# TOWNSHIP OF WELLINGTON NORTH

## COMMITTEE OF ADJUSTMENT

A5/11

### Page Four

The Official Plan and the Provincial Policy Statement directs most industrial and commercial uses to Hamlets or Urban Centres. The Agriculture First policy of Section 6.4.2 states that “*As a general rule, land use activities that support agriculture will be encouraged and land use activities that do not support agriculture will be discouraged*”.

The Wellington North Zoning By-law permits certain home industries which are defined as *a small scale occupation or business conducted for gain or profit as a secondary use to the main permitted use*. An excavation storage/yard would require a zone amendment in order to locate on this property as a home industry. The criteria under section 6.14 (Figure 1) would be used to determine whether or not the use could meet the size and scale as outlined within this.

### **Figure 1 - 6.14 HOME INDUSTRY REGULATIONS**

Home industries, where listed as a permitted use, are subject to the following regulations:

- a) It is secondary to the main use on the lot and does not create a traffic hazard or nuisance;
- b) It may include such uses as a carpentry shop, a welding shop, a machine shop, furniture fabrication, assembly and repair; a tool and repair shop, and a small engine repair shop but shall not include autobody repairs or automobile sales, service and repair; automotive washing establishment, the sale of gas, or a wrecking yard;
- c) There is no outside storage of materials, containers, or finished products;
- d) The maximum square footage of any or all buildings or structures or part of a building or structure used for a home industry shall not exceed 185.5 m<sup>2</sup> (2,000.0 ft<sup>2</sup>) of ground floor area;
- e) At no time may any home industry employ on-site more than two people who do not reside on the lot on which such home industry is conducted;
- f) There shall be no advertising other than a non-illuminating sign, which has a maximum size of one m<sup>2</sup> (10.8 ft<sup>2</sup>);
- g) No building or structure used for a home industry shall be located within 22.8 m (74.8 ft) of a lot line, nor within 121.9 m (400.0 ft) of a lot line of a vacant lot (less than 4.1 ha (10 ac) in size) or within 121.9 m (400.0 ft) of a residence on a separate lot.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/11

Page Five

6. Correspondence/Comments received:
- Maitland Valley Conservation Authority
  - no objection subject to conditions

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.

Persons present who wish to make oral and/or written submissions against this application.

Earl Bennett, 7038 Sideroad 7 West, stated that he has concerns with the future use of the property. His concern is that when Mr. Martin sells the property how can a future owner be prevented from operating a business, such as equipment repair. He was not concerned with the building being used for storage as long as there is something indicating it can only be used for storage.

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

Committee – Comments and Questions

Councillor Lennox confirmed that the requested variance is for the size of the structure and that an additional variance would be required if the applicant wished to build in the NE Zone.

Councillor Yake indicated that the proposed building seemed excessive in size for personal storage and questioned if the excavation equipment is part of a home business or small business.

Ms. Redmond informed the Committee that her comments are based on the information in the application. There is no indication if there is a business.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A5/11

Page Six

Councillor Goetz questioned how a small property can have an agricultural zoning.

Ms. Redmond explained that instead of a Rural Residential zoning it was given a Reduced Agricultural zoning because of its size.

Mayor Tout agreed with the concerns raised regarding use of the building and future use. Mayor Tout questioned if the storage is for commercial business and not personal use.

Mr. Martin explained that part of the reason for requesting a 4,000 sq. ft. building was to make sure it is big enough as he did not want to have to go through this process again. He owns excavation equipment and is a licensed septic installer. He wants a shed big enough to store materials inside and keep the property tidy. The use of the shed would probably be half personal and half business.

Ms. Redmond stated that the installation of septic is a service required in a rural and agricultural area. Such businesses are sometimes allowed in rural areas. She requested time to review the application with Mr. Martin to determine if his proposal will require a zone amendment.

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT the minor variance applied for in Application A5/11 be deferred.*

**Resolution No. 2**

**Carried**


8. Adjournment (7:18 p.m.)

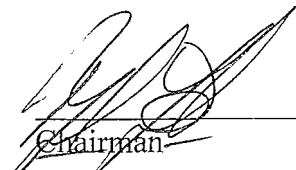
Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*That the Committee of Adjustment meeting of September 12, 2011 be adjourned.*

**Resolution No. 3**

**Carried**

  
Secretary Treasurer

  
Chairman