

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, SEPTEMBER 26, 2016 – 7:00 P.M.  
A08/16**

The Committee of Adjustment met at the Kenilworth Municipal Office Council Chambers.

**Members Present: Chairman:** Andy Lennox  
Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake

**Also Present:** Secretary-Treasurer, Clerk: Karren Wallace  
CAO/Deputy Clerk: Michael Givens  
Executive Assistant: Cathy Conrad  
Treasurer: Kimberly Henderson  
Director of Public Works: Matthew Aston  
Director of Recreation, Parks & Facilities: Barry Lavers  
Economic Development Officer: Dale Small

**Absent:** Senior Planner: Linda Redmond

**THE CHAIRMAN CALLED THE MEETING TO ORDER**

**DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

No pecuniary interest reported.

**MINUTES OF PREVIOUS MEETING(S)**

**RESOLUTION NUMBER CoA 2016-27**

**Moved by:** Member Burke

**Seconded by:** Member McCabe

*THAT the Committee of Adjustment meeting minutes of August 14 2016 – A06/16 and A07/16 be adopted as presented.*

**CARRIED**

**APPLICATION A08/16**

**Owners/Applicant: Edward O'Neill and Darlene Craig**

**The location of the subject property** is described as Part Park Lot 9, S/S Smith Street, Crown Survey with a civic address of 405 Smith Street, Arthur. The subject land has an area of 865.5 m<sup>2</sup> (0.21 ac) and frontage of 20.2 m (66.6 ft.).

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**The purpose and effect of the application** is to provide relief from the minimum lot area, front yard and rear yard setbacks for the construction of a single detached dwelling. This property recently received provisional approval from the County Land Division Committee to sever the existing residential lot into two. These variances are required as a condition of severance application B44/16.

**NOTICE OF THIS MEETING** was mailed on September 14, 2016 to the to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property pursuant to the provisions in the Planning Act.

**PRESENTATION**

Linda Redmond, Senior Planner, provided comments dated September 21, 2016.

**Planning Opinion:** The variances requested would allow a minor reduction in the minimum lot area, front and rear yard setback to permit the construction of a single family dwelling and facilitate the severance of the subject lands.

There were no concerns with the relief requested at this time. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

**SUBJECT PROPERTY AND LOCATION**

The property is described as Part Park Lot 9, S/S Smith Street, Crown Survey with a civic address of 405 Smith Street, Arthur. The subject land has an area of 865.5 m<sup>2</sup> (0.21 ac) and frontage of 20.2 m (66.6 ft.). The property is currently occupied by a single family dwelling.

**PROPOSAL**

The purpose of this application is to provide relief from the minimum lot area, front yard and rear yard setbacks for the construction of a single detached dwelling. This property recently received provisional approval from the County Land Division Committee to sever the existing residential lot into two. These variances are required as a condition of severance application B44/16.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated RESIDENTIAL. 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.

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**TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW**

The subject property is currently zoned Residential (R2). The applicants have severed the property and are proposing to construct a single family dwelling on the vacant parcel and retain the dwelling on the retained parcel. In order to facilitate this proposal and as a condition of consent the following variances are required:

<b>Severed Parcel</b>	<b>Adopted By-Law (66-01)</b>	
	<b>Required</b>	<b>Requested</b>
<b>Minimum lot area</b>	465 m <sup>2</sup> (5005.4 ft <sup>2</sup> )	444 m <sup>2</sup> (4779 ft <sup>2</sup> )
<b>Minimum front yard</b>	7.6 m (24.9 ft.)	6 m (20 ft.)
<b>Minimum rear yard</b>	7.6 m (24.9 ft.)	6 m (20 ft.)

<b>Retained Parcel</b>	<b>Adopted By-Law (66-01)</b>	
	<b>Required</b>	<b>Requested</b>
<b>Minimum lot area</b>	465 m <sup>2</sup> (5005.4 ft <sup>2</sup> )	421.56 m <sup>2</sup> (4537.6 ft <sup>2</sup> )
<b>Minimum rear yard</b>	7.6 m (24.9 ft.)	3.66 m (12 ft.)

**CORRESPONDENCE/COMMENTS RECEIVED**

- No correspondence received

**REQUEST FOR NOTICE OF DECISION**

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

**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.

No one present to make submissions in support of the proposed minor variance.

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

No one present to make submissions against the proposed minor variance.

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**COMMENTS/QUESTIONS FROM THE COMMITTEE**

No comments were provided

**RESOLUTION NUMBER CoA 2016-28**

Moved by: Member Burke

Seconded by: Member McCabe

**THAT the minor variance applied for in Application A08/16 to provide the following relief:**

- 1. A minimum lot area on the severed portion of 444 m<sup>2</sup> (4779.2 ft<sup>2</sup>) be permitted whereas 465 m<sup>2</sup> (5005.4 ft<sup>2</sup>) is required;**
- 2. A minimum front yard setback on the severed portion of 6 m (20 ft) be permitted whereas 7.6 m (24.9 ft) is required;**
- 3. A minimum rear yard setback on the severed portion of 6 m (20 ft) be permitted whereas 7.6 m (24.9 ft) is required;**
- 4. A minimum lot area on the retained portion of 421.56 m<sup>2</sup> (4537.6 ft<sup>2</sup>) be permitted whereas 465 m<sup>2</sup> (5005.4 ft<sup>2</sup>) is required;**
- 5. A minimum rear yard setback on the retained portion of 3.66 m (12 ft) be permitted whereas 7.6 m (24.9 ft) is required;**

**for the construction of a single detached dwelling on the subject property Part Park Lot 9, S/S Smith Street, geographic Village of Arthur (405 Smith Street) be authorized.**

**CARRIED**

**ADJOURNMENT**

**RESOLUTION NUMBER CoA 2016-29**

Moved by: Member McCabe

Seconded by: Member Burke

*THAT the Committee of Adjustment meeting of September 26, 2016 be adjourned at 7:05 p.m.*

**CARRIED**

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Secretary Treasurer

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Chairman