

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JUNE 6, 2016 – 7:00 P.M.
A04/16**

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

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

Absent: Dan Yake

**Also Present: Secretary-Treasurer/Clerk: Karren Wallace
Chief Administrative Officer: Michael Givens
Executive Assistant: Cathy Conrad
Chief Building Official: Darren Jones
Director of Public Works: Matthew Aston
Treasurer: Kimberly Henderson
Economic Development Officer: Dale Small
Tourism, Marketing, Promotion Manager: April Marshall
Senior Planner: Linda Redmond**

THE CHAIRMAN CALLED THE MEETING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

RESOLUTION NUMBER CoA 2016-10

Moved by: Member Hern

Seconded by: Member McCabe

THAT the agenda for the June 6, 2015 Committee of Adjustment meeting be accepted and passed.

CARRIED

MINUTES OF PREVIOUS MEETING(S)

RESOLUTION NUMBER CoA 2016-11

Moved by: Member McCabe

Seconded by: Member Hern

THAT the Committee of Adjustment meeting minutes of April 4, 2016 – A02/16 and A03-16 be adopted as presented.

CARRIED

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APPLICATION A04/16

Owners/Applicant: Ashley and Colin Weatherall

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 1, Concession 11 (West Luther), with a civic address of 8026 Line 10. The subject land is approximately 0.51 ha (1.25 acres).

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum floor area for a proposed accessory structure. The maximum floor area of accessory structures on the subject land shall not exceed 95.2 m² (1025 ft²). The applicant is requesting permission to construct a 126 m² (1360 ft²) detached garage with a height of 7.01 m (23 ft.) for personal storage use.

Notice of this meeting was mailed to property owners within 60 m of the subject property and applicable agencies on May 26, 2016, as well as posted on the property, pursuant to the legislation.

PRESENTATION

Linda Redmond, Senior Planner, reviewed comments dated May 30, 2016 provided by Elizabeth Martelluzzi.

Planning Opinion: The variance requested would provide relief from Section 6.1.4(b) of the Zoning By-law, to allow an additional 31.1m² (335 ft²) in floor area. The maximum floor area allowed for an accessory building is 95.2m² (1025 ft²), and the applicant has proposed a floor area of 126.3m² (1360 ft²).

The Planning Department had no concerns with the relief requested at this time. The accessory building size would not negatively impact neighbouring properties and remains incidental to the main use of the site, which is a single detached dwelling. 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 Lot 1, Concession 11, (West Luther) with a civic address of 8026 Line 10. The subject land is approximately 0.11 ha (1.25 acres) and has an existing single detached dwelling.

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area for a proposed accessory structure. The maximum floor area of accessory structures on the subject land shall not exceed 95.2m². The applicant is

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requesting permission to construct a 126.3m² detached garage with a height of 7.01m for personal storage use.

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.

Section 6.4.3 permits accessory residential uses in Prime Agricultural Areas.

The current proposal maintains the intent of the Official Plan.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is currently zoned Agricultural (A) which permits an accessory use, building or structure. The lot is subject to the reduced lot regulations in the agricultural zone because it is less than 10.1 hectares in size.

Accessory buildings on reduced lots are subject to section 6.1.4 (b), which allows a maximum floor area of 92.9m² on a 0.11 Hectare site. The applicant has proposed an accessory building with a floor area of 126.3 m², therefore requiring relief of 31.1m².

The intent of the zoning by-law is to allow a smaller lot to accommodate an accessory building which remains incidental, subordinate and exclusively devoted to the main use. The proposal maintains the intent of the zoning by-law.

The proposed accessory building is appropriately located on the site, towards the rear of the property. The size is large enough to serve a rural residential lot and would not impact neighbouring properties in a negative way. The minor variance is typical and appropriate for properties of this nature.

CORRESPONDENCE/COMMENTS RECEIVED

Michael Oberle, Environmental Planning Technician, SVCA

- Proposed minor variance is acceptable

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.

No one was present to make oral and/or written submissions in support of the proposed minor variance.

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

No one was present to make oral and/or written submissions against the proposed minor variance

COMMENTS/QUESTIONS FROM THE COMMITTEE

The Committee had no comments or questions

RESOLUTION NUMBER CoA 2016-12

Moved by: Member Hern

Seconded by: Member McCabe

THAT the minor variance applied for in Application A04/16 to provide relief from the maximum floor area for a proposed accessory structure as the maximum floor area of accessory structures on the subject land shall not exceed 95.2 m² (1025 ft²) and permission is being requested to construct a 126 m² (1360 ft²) detached garage with a height of 7.01 m (23 ft.) for personal storage use be authorized.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2016-13

Moved by: Member Hern

Seconded by: Member McCabe

THAT the Committee of Adjustment meeting of June 6, 2016 be adjourned at 7:05 p.m.

CARRIED

Secretary Treasurer

Chairman