

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
JANUARY 13, 2020 @ 2:00 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH

Members Present:

Chairperson: Andrew Lennox
Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake

Staff Present:

Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Director of Finance: Adam McNabb
Director of Operations: Matthew Aston
Economic Development Officer: Dale Small
Human Resources Manager: Chanda Riggi
Fire Chief: David Guilbault
Development Clerk: Tammy Pringle
Senior Planner: Michelle Innocente

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST none

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, October 7, 2019 (A06/19)

RESOLUTION: CoA 2020-001

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting minutes of October 7, 2019 – A06/19 be adopted as presented.

CARRIED

APPLICATION

A07/19 – Wayne & Doreen Gingrich

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 20, Concession 6, geographic Township of Arthur, with a civic address of 8891 Concession 7. The subject land is approximately 30.4 ha (75 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum lot area requirements for establishing a second residential dwelling in an Agricultural zone. The applicants are proposing to construct a second dwelling on the subject lands and require a minimum lot area of 35ha (86 acres), whereas the lot is 30.4 ha (75 ac). Other variances may be considered where deemed appropriate.

SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on December 18th, 2019 in accordance with the planning act.

PRESENTATIONS

Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 7th, 2020

Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion:

The variances being requested would provide relief from the minimum lot area requirements for establishment of a second residential dwelling. The applicants are proposing to build a second new residential dwelling within the existing farm building cluster. The Chief Building Official has indicated that the applicant will be building a detached residential dwelling within the required 61m (200 ft) radius of the main farm residence.

We have no concerns with the relief requested and are satisfied that the application maintains 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.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 20, Concession 6 geographic Township of Arthur, with a civic address of 8891 Concession 7. The subject land is approximately 30.4 ha (75 ac).

PROPOSAL

This proposal is to provide relief for the minimum lot area requirements for establishing a second residential dwelling in an Agricultural zone. The applicants are proposing to construct a second dwelling on the subject lands and require a minimum lot area of 35ha (86 acres), whereas the lot is 30.4 ha (75 ac).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated Prime Agricultural within the County Official Plan. In addition, a small portion of the property is designated Flood Plain and a separate small portion designated Significant Wooded Area. The proposed development is located outside of these features. 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.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is primarily zoned Agricultural (A) Zone. A small portion of the property is zoned Natural Environment (NE). A separate small portion of the property is zoned with site specific AC-24.

Section 8.4.1 of the by-law outlines minimum lot area requirements for the establishment of a second residential dwelling. The applicants are proposing to construct a second residential dwelling on the subject lands with a lot area of 30.4 ha (75 ac) where the required lot area is 35 ha (86 ac). The Chief Building Official has indicated that the new dwelling will be detached from

the main residential dwelling, located within 61m (200 ft) radius of the main farm residence and have a minimum floor area of 74.3 m³ (800 ft²). Furthermore, the farm house cluster is significantly setback from Concession 7, located on a large agricultural lot surrounded by large agricultural parcels and both interior side yards have landscape buffers. Thus, Staff have no concerns with the proposed new residential dwelling and are satisfied that the general intent of the zoning by-law is maintained.

	Required	Proposed	Difference
Minimum Lot Area (Section 8.4.1)	35 ha (86 ac)	30.4 ha (75 ac)	1.2 ha (3 ac)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Laura Warner, Resource Planner, Grand River Conservation Authority

- Letter dated December 24, 2019 (No Objections)

REQUEST FOR NOTICE OF DECISION

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

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

There were no comments or questions from the floor. Wayne Gingrich, the applicant, was present to answer any questions and support the Minor Variance.

COMMENTS/QUESTIONS FROM THE COMMITTEE

There were no comments or questions from the Committee.

DECISION

RESOLUTION: CoA 2020-002

Moved: Hern

Seconded: Yake

THAT the minor variance applied for in Application A07/19, for the property described as Part Lot 20, Concession 6, geographic Township of Arthur, with a civic address of 8891 Concession 7, to provide the following relief;

1. **THAT the minimum lot area requirements of 86 acres, for establishment of a second residential dwelling be reduced to 75 acres.**
As set out in application

Be authorized

CARRIED

ADJOURNMENT

RESOLUTION: CoA 2020-003

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting of January 13, 2020 be adjourned.

CARRIED

Secretary Treasurer

Chair