

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
DECEMBER 14, 2020 @ 7:00 P.M. VIA WEB CONFERENCING**

Members Present:

Chair: Andrew Lennox
Members: Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake

Staff Present:

Chief Administrative Officer:	Michael Givens
Director of Legislative Services/Clerk:	Karren Wallace
Deputy Clerk:	Catherine Conrad
Director of Finance:	Adam McNabb
Economic Development Officer:	Dale Small
Chief Building Official:	Darren Jones
Human Resources Manager:	Chanda Riggi
Director of Fire Services:	Chris Harrow
Director of Operations:	Matthew Aston
Community Recreation Coordinator:	Mandy Jones
Manager, Environmental and Developmental Services:	Corey Schmidt
Compliance Analyst:	Sara McDougall
Manager of Transportation Services:	Dale Clark
Senior Planner:	Michelle Innocente

CALLING TO ORDER - Chair Lennox

Chair Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest disclosed.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, October 13, 2020 (A08/20)

RESOLUTION: CoA 2020-026

Moved: Hern

Seconded: Yake

THAT the Committee of Adjustment meeting minutes of October 13, 2020 – A08/20 be adopted as presented.

CARRIED

APPLICATION

A09/20 – Amsey Frey

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E. The subject land is approximately 39.6 ha (97.8 ac).

THE PURPOSE AND EFFECT of the application is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicant is proposing to construct a new livestock barn and cannot meet the minimum distance required to the nearest road allowance. 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 November 23, 2020.

PRESENTATIONS

Michelle Innocente, Senior Planner, County of Wellington, presented comments prepared by Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated December 7, 2020

The Planners have reviewed the application for a minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion The variance requested would permit the construction of a new 1,729 m² (18,610 ft²) livestock barn. The location of the proposed barn does not meet the minimum distance separation (MDS II) from the closest road allowance.

The location of the proposed barn provides operational efficiency. Furthermore, based on the provided sketch, the applicant offset the barn further into the subject lands to avoid any additional MDS conflicts with the closest neighboring dwelling and conflict with the wooded area north of the proposed barn. We have no concerns with the relief requested for the proposed barn provided the GRCA have no objections. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E. The subject land is approximately 39.6 ha (97.8 acres) and is occupied by a dwelling, barn and shed.

PROPOSAL

The purpose of this application is to provide relief from the minimum distance separation (MDS II) setback requirements. The applicants are proposing to construct a new barn and cannot meet the minimum distance required to the nearest road allowance.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, GREENLANDS and CORE GREENLANDS. In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, 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 zoned Agricultural (A) and Natural Environment (NE). The location of the proposed barn does not meet the minimum distance separation (MDS II) to the closest road allowance.

The proposed barn will be located within a portion of the Natural Environment (NE) zone. Per Section 28.2 no new building or new structure shall be constructed. Additionally, Section 6.20.1 states no building or structure shall be constructed closer than 30m (98.4 ft) from the limit of an NE zone. Section 2.6 of the Township of Wellington North Zoning By-law states that the boundaries of the NE zone can be more precisely determined by the applicable Conservation

Authority. Upon re-interpretation of the zone boundary, all requirements (including any setbacks) shall be reviewed relative to the revised interpretation.

To date, planning staff have not received GRCA comments. Planning staff are satisfied with the application provided GRCA staff have no objection and can reinterpret the NE boundary.

The following relief is required:

Proposed Barn	Required	Proposed	Difference
Minimum Distance Separation II (Closest Road Allowance)	60 m (197 ft)	12 m (40 ft)	48 m (157 ft)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Dolly Shetty, Hydro One Networks Inc.

- Email dated November 26, 2020 (No Objection)

Andrew Herreman, GRCA

- Email dated November 26, 2020 (Re: Proposed Barn in SVCA watershed)

Michael Oberle, Saugeen Conservation

- Letter dated December 8, 2020 (No Objection)

Steven Martin, 9165 Concession 2

- Correspondence dated December 10, 2020 (In Support - no objection)

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

Cleon Martin, agent for the applicant, advised SVCA approval has been received and was forwarded to Karren Wallace, Clerk and Tammy Pringle, Development Clerk.

COMMENTS/QUESTIONS FROM THE COMMITTEE

There were no comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconder required)

THAT the minor variance applied for in Application A09/20, for the property described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E., to provide the following relief;

1. **THAT a reduced Minimum Distance Separation II (Closest Road Allowance) of 12m (40 ft) be permitted, for a proposed barn, whereas the By-Law requires 60m (197 ft).**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2020-027

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting of December 14, 2020 be adjourned. 7:24 p.m.

CARRIED

Secretary Treasurer

Chair