

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
TUESDAY, OCTOBER 13, 2020 @ 7:00 P.M.
VIA WEB CONFERENCING**

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/85006491391>

Description: Public Meeting Under the Planning Act

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

855 703 8985 (Toll Free)

Webinar ID: 850 0649 1391

**PAGE
NUMBER**

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, August 10, 2020 (A07/20)

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Recommendation:

THAT the Committee of Adjustment meeting minutes of August 10, 2020 – A07/20 be adopted as presented.

APPLICATION

A08/20 – 2738330 Ontario Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described Part Park Lot 1 and is Municipally known as 399 Main St N, Mount Forest. The property is approximately 0.12 ha (0.3 ac) in size. The location of the property is shown on the map attached.

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THE PURPOSE AND EFFECT of the application is to provide relief from the minimum parking requirements. The applicants are proposing to construct a new gas station including a takeout and convenience store and will be providing seven parking spots whereas the by-law requires a minimum of nine parking spots. 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 September 18, 2020.

PRESENTATIONS

Mathieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated September 18, 2020

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CORRESPONDENCE FOR COMMITTEE'S REVIEW

Kyle Davis, Risk Management Official, Wellington Source Water Protection

- Restricted Land Use Notice, No Prohibition or Risk Management Plan Required dated October 7, 2020 9

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated October 7, 2020 (No Objection) 13

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

COMMENTS/QUESTIONS FROM THE COMMITTEE

DECISION

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

THAT the minor variance applied for in Application A08/20, for the property described as Part Park Lot 1 and Municipally known as 399 Main St. N., Mount Forest, to provide the following relief;

1. **THAT a reduced Parking Regulation of 7 parking spots be permitted, for a proposed new gas station with a convenience store and takeout restaurant component, whereas the By-Law requires 9 parking spots.**

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of September 28, 2020 be adjourned.

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
AUGUST 10, 2020 @ 7:00 P.M.
VIA WEB CONFERENCING**

<https://www.youtube.com/watch?v=ICrtLjwkcQ&feature=youtu.be>

Members Present:

Chair:

**Andrew Lennox
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
Director of Operations:	Matthew Aston
Community Recreation Coordinator:	Mandy Jones
Human Resources Manager:	Chanda Riggi
Planner:	Matthieu Daoust
Senior Planner:	Michelle Innocente

CALLING TO ORDER - Mayor Lennox

Chair Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

None

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, July 6, 2020 (A04/20, A05/20)

RESOLUTION: CoA 2020-022

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting minutes of July 6, 2020 – A04/20 & A05/20 be adopted as presented.

CARRIED

APPLICATION

A07/20 – Andrew & Cheryl Baker

THE LOCATION OF THE SUBJECT PROPERTY is as EOSR PT LOT 22 PT DIVS 3 AND; 4 RP 60R3383 PT PARTS 1 TO 3 and is Municipally known as 9057 Highway 6, Kenilworth. The property is approximately 3.38 ha (8.35 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum floor area and height requirements for an accessory structure. The applicants are proposing to construct a new riding arena with a floor area of 808.6 m² (8,704 ft²) and a height of 10.36 m (34 ft) whereas the by-law permits a maximum floor area of 464.5 m² (5,000 ft²) and a height of 6.7 m (22 ft). 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 July 30, 2020.

PRESENTATIONS

Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated July 28, 2020

PLANNING OPINION: The variances requested would provide relief from the maximum floor area and height requirements for an accessory structure on a residential lot. The applicant is proposing to construct a new riding arena with a floor area of 808.6 m² (8,704 ft²) and a height of 10.36 m (34 ft).

We have no concerns with the size of the proposed structure 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 EOSR PT LOT 22 PT DIVS 3 AND;4 RP 60R3383 PT PARTS 1 TO 3, geographic Township of Arthur, and is Municipally known as 9057 Highway 6, Kenilworth. The property is approximately 3.38 ha (8.35 ac) in size.

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area and height requirement for a proposed accessory structure. The applicants are proposing to build a riding arena for their personal use.

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 shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

The proposed riding arena is well remove from any environmental features on the subject lands.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A). The applicants are proposing to construct a new riding arena with the following required variances:

Accessory Uses	Permitted	Proposed	Difference
Height (Section 6.1.3b)	6.7m (22 ft)	10.36 m (34 ft)	3.66 m (12 ft)
Maximum Floor Area (Section 6.1.4b)	464.5m ² (5,000 ft ²)	808.6m ² (8,704 ft ²)	344 m ² (3,704 ft ²)

The variances requested are minor and appropriate for the use of the lot. The height of the building is specific to its use as a riding arena and the riding arena would not be uncharacteristic to area. The variances meet the general intent of the Official Plan and Zoning By-law.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

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.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

There were no comments or questions from the floor.

COMMENTS/QUESTIONS FROM THE COMMITTEE

There were no comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A07/20, for the property described as EOSR PT LOT 22 PT DIVS 3 AND 4 RP 60R3383 PT PARTS 1 TO 3, geographic Township of Arthur, with a civic address of 9057 Highway 6, Kenilworth to provide the following relief;

- 1. THAT an increased Height of 10.36 m (34 ft) be permitted, for a proposed new riding arena, whereas the By-Law permits 6.7 m (22 ft); and*
- 2. THAT an increased Maximum Floor Area of 808.6 m² (8,704 ft²) be permitted, for a proposed new riding arena, whereas the By-Law permits 464.5 m² (5,000 ft²)*

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2020-023

Moved: Hern

Seconded: Yake

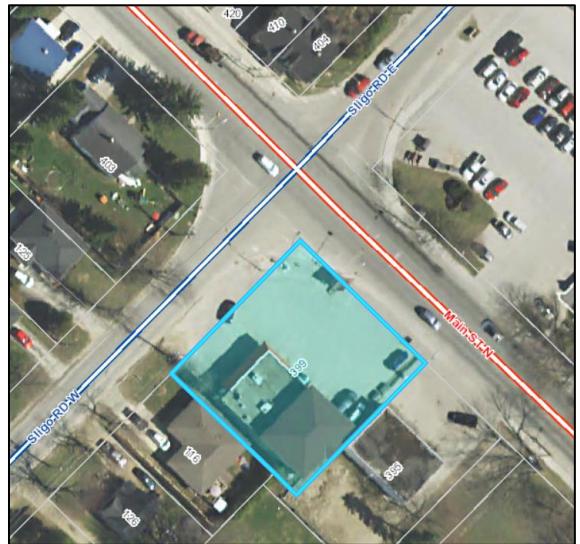
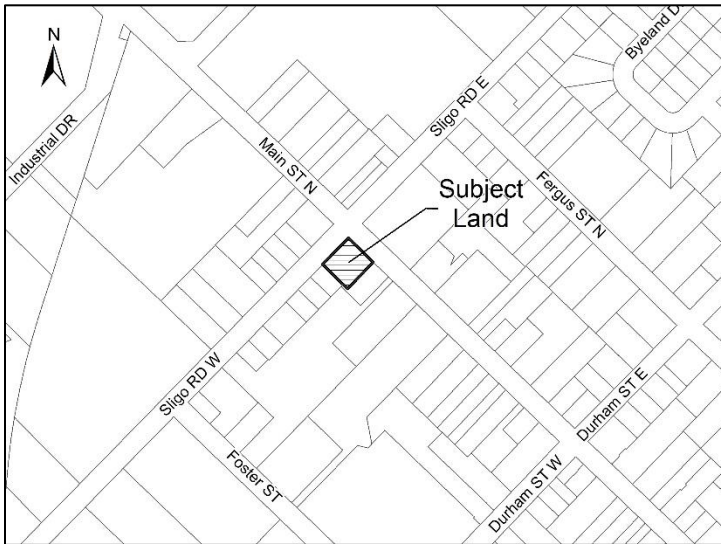
THAT the committee of adjustment meeting of August 10, 2020 be adjourned.

CARRIED

Secretary Treasurer

Chair

2738330 ONTARIO INC.





COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

September 18th, 2020

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A08/20**
Part Park Lot 1
399 Main St N
2738330 Ontario Inc

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

Planning Opinion: The variance requested would provide relief from the minimum parking requirements. The applicant is proposing to construct a new gas station with a convenience store and takeout restaurant component. The applicant is proposing to provide seven parking spots whereas the by-law requires a minimum of nine parking spaces.

We have no concerns with the requested relief 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 PT PARK LOT 1 and is Municipally known as 399 Main St N, Mount Forest. The property is approximately 0.12 ha (0.3 ac) in size. The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the minimum parking requirements for a proposed new gas station. The applicant is proposing to include a commercial component inside the gas station including a takeout restaurant and convenience store.

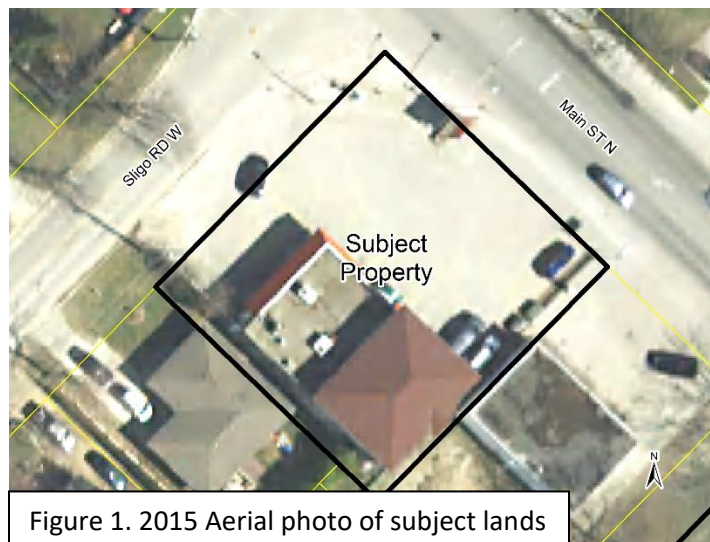


Figure 1. 2015 Aerial photo of subject lands

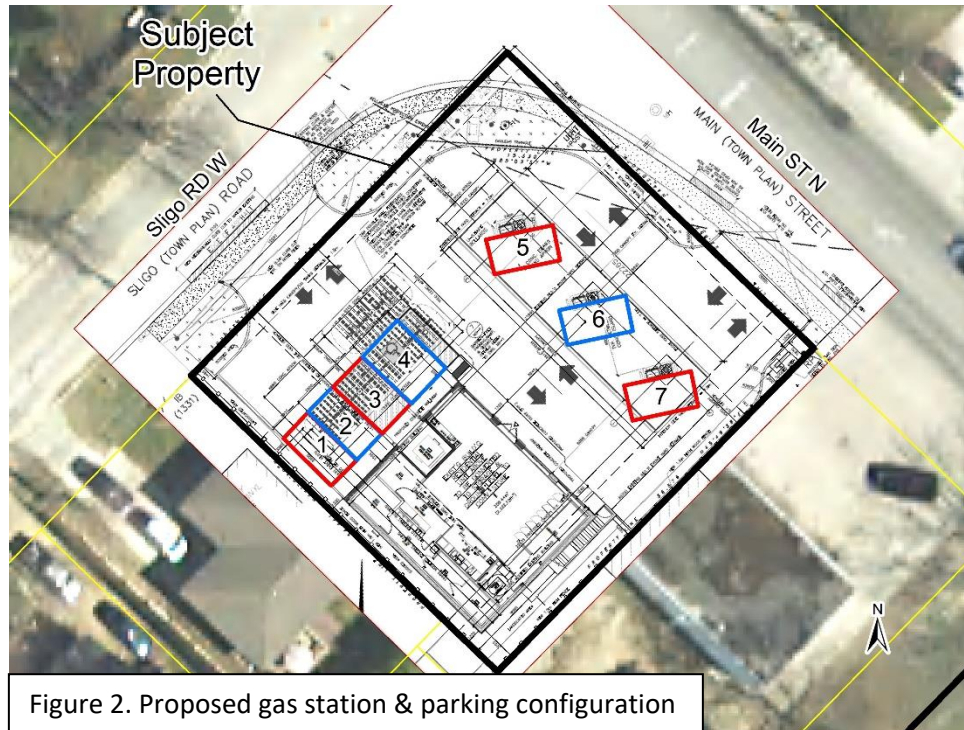


Figure 2. Proposed gas station & parking configuration

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL TRANSITION. 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.

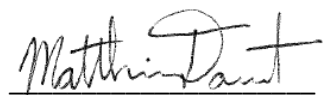
TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Main Street Mixed Use (MU2). The applicants are proposing to construct a new gas station with the following required variance:

Parking Regulations	Permitted	Proposed	Difference
Parking (Section 6.27.8)	9 parking spots	7 parking spots	2 parking spots

The variance requested is minor and appropriate for the use of the lot. The applicants will be providing six parking space in addition to one barrier free parking space. Three of the six parking spaces will be located at each pumping station. Although it is not included in the total parking calculation there is ample space on the opposite side of each pump for informal parking areas. The variances meet the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Matthieu Daoust, Planner



October 7, 2020

Restricted Land Use Notice No Prohibition or Risk Management Plan Requirement

Issued under the *Clean Water Act*, Section 59 (2) (a)

Township of Wellington North
c/o Wellington Source Water Protection
Risk Management Office
7444 Wellington Road 21
Elora, ON, N0B 1S0
1-844-383-9800
sourcewater@centrewellington.ca

Notice Number: WN-S59-20-005		
Description and Date of Application / Supporting Documents: Minor variance application, WHPA Map		
Municipality Application No: A08-20		Applicant Project No:
Applicant: Wajid Mansuri		Email: WMansuri@bellnet.ca
Roll No: 2349000004154000000	WHPA: A-B	Vulnerability Score: 8,10
Property Address: 399 Main Street North		Town: Mount Forest
Municipality: Wellington North	Province: ON	Postal Code: N0G 2L1
Source Protection Plan: Saugeen		Drinking Water System: Mount Forest

Property Owner: 2738330 Ontario Inc.		
Mailing Address: same as above		Town:
Municipality:	Province:	Postal Code:
Phone:	Alt. Phone:	Email:

This Notice is being issued under subsection 59 2(a) of the *Clean Water Act, 2006* and was prepared in response to an Application (as described above under Description / Supporting Documents) received for the property that is identified above. One or more of the land uses proposed to be engaged in, at the above noted property, has been designated as a restricted land use under Section 59 of the *Clean Water Act* and the application is either for a provision of the *Planning Act* prescribed under Section 62, Ontario Regulation 287/07 of the *Clean Water Act* or for a building permit under the *Ontario Building Code*.

The Application was reviewed in accordance with the *Clean Water Act* and the *Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan* which came into effect July 1, 2016. Based on the information submitted as part of the Application, Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the *Clean Water Act* **do not** apply, at this time, to the activities outlined in the Application for the above referenced property.



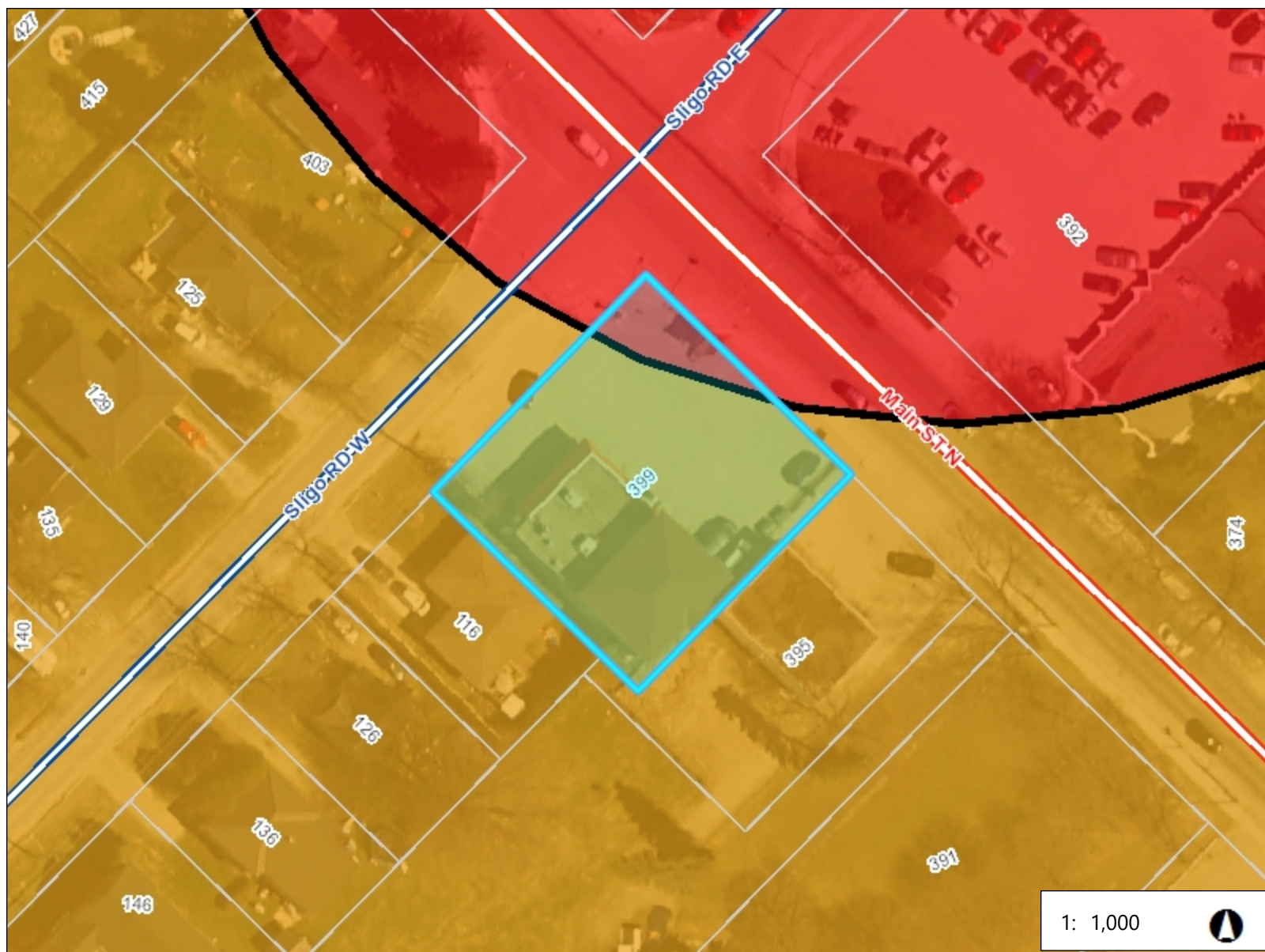
Rationale: This Notice is for the Minor Variance application A08-20 only. This Notice to proceed is related only to this application for relief from parking requirements as the applicable policies related to fuel and chemical handling and / or storage do not apply for this minor variance application. These activities and policies are, however, applicable to other planning and building applications for this site including site plan and building permits. Therefore, additional Section 59 notices will be required for site plan and building permit approvals as activities related to this site may fall under Section 57 or Section 58 of the *Clean Water Act*. Detailed comments will follow related to the site plan application.

Township of Wellington North
c/o Wellington Source Water Protection
Risk Management Office
7444 Wellington Road 21
Elora, ON, N0B 1S0
1-844-383-9800
sourcewater@centrewellington.ca

- This Notice is only effective as it relates to the above referenced Application;
- Any change to the information submitted under the Application nullifies this Notice, unless otherwise permitted by the Risk Management Official.
- This Notice is not valid for any subsequent approvals under the *Planning Act* or building permits under the *Ontario Building Code* for the property. Further Section 59 notices will be required for subsequent applications at the property and a risk management plan may be required.
- Pursuant to Section 53 (3), Ontario Regulation 287/07 under the *Clean Water Act*, this notice, once issued, is a public document. All information submitted for development of this notice is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- This Notice has been issued under the Authority of the Risk Management Official appointed for the Township of Wellington North under by-law 49-16. This Notice has been issued in accordance with the *Clean Water Act*, 2006, Section 59, Ontario Regulation 287/07 and the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, as amended, which became effective on July 1, 2016.

If you require further information, please contact the undersigned.

Kyle Davis, Risk Management Official
519-846-9691 ext 362
kdavis@centrewellington.ca



Legend

- Parcels
- Roads**
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Boundaries**
 - A
 - B
 - C
 - D
- Vulnerability Score**
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- HVA
- RoadsLookup

1: 1,000



0.1 0 0.03 0.1 Kilometers



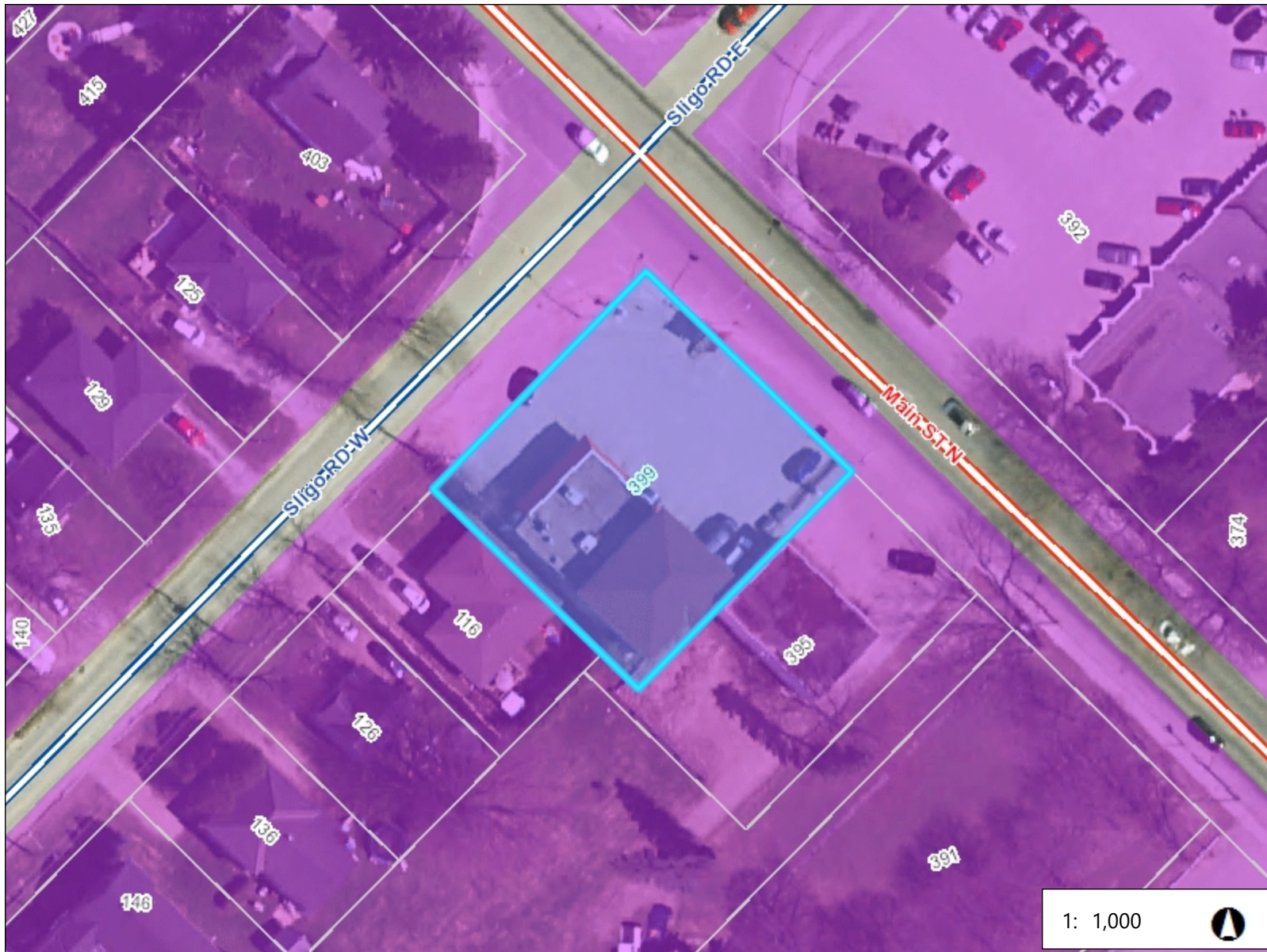
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THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018

Notes



Legend

- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Well Locations
- SGRA
- RoadsLookup

Notes

0.1 0 0.03 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (tpringle@wellington-north.com)

October 7, 2020

Township of Wellington North
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Tammy Pringle, Development Clerk

Dear Ms. Pringle,

RE: Proposed Minor Variance A08-20 (2738330 Ontario Inc.)
399 Main Street North
Roll No.: 234900000415400
Part Park Lot 1
Geographic Town of Mount Forest
Township of Wellington North

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also reviewed the application as part of our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose and effect of the application is to provide relief from the minimum parking requirements. The applicants are proposing to construct a new gas station including takeout and convenience store and will be providing seven parking spots whereas the by-law requires a minimum of nine parking spaces. Other variances may be considered where deemed appropriate.

Recommendation

SVCA staff find the application acceptable. The subject property does not contain any natural hazard features or other environmental features of interest to SVCA. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard and Natural Heritage Policies of the PPS, 2020 and the County of Wellington Official Plan. Additionally, the property is not subject to Ontario Regulation 169/06, or to the policies of SVCA at this time, and as such, permission (permit) from the SVCA is not required for development on the property.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Township of Wellington North
Proposed Minor Variance A08-20 (2738330 Ontario Inc.)
October 7, 2020
Page 2 of 2

Please inform this office of any decision made by the planning approval authority with regards to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Wajid Mansuri (GAMA Engineering Inc.), agent (via email)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, SVCA Member representing the Township of Wellington North (via email)