

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT  
FEBRUARY 22, 2022 @ 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/87917089506>

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) or 1 438 809 7799 (*long distance charges may apply*)

Webinar ID: 879 1708 9506

**PAGE  
NUMBER**

**CALLING TO ORDER - Chairperson Lennox**

**DISCLOSURE OF PECUNIARY INTEREST**

- A04/22 James M. Martin
- A05/22 Phares & Mary Martin
- A06/22 Mike & Sarah Saunders

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, February 7, 2022 (A03/22) 5

Recommendation:

THAT the Committee of Adjustment meeting minutes of February 7, 2022 – A03/22 be adopted as presented.

**APPLICATION**

A04/22 – James M. Martin

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Con 12, Pt Lot 9 and is Municipally known as 6816 Sideroad 4. The property is approximately 61.16 ha (151.13 ac) in size.. The location of the property is shown on the map attached. 9

**THE PURPOSE AND EFFECT** of the application is to provide relief from the maximum square footage for an existing home industry (lumber mill). The applicant is proposing to construct a 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) addition to an existing 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) shop. 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 February 2, 2022.

**PRESENTATIONS**

Matthieu Daoust, Planner and Asavari Jadhav, Junior Planner, County of Wellington,  
Township of Wellington North

- Planning Report dated February 16, 2022 10

### CORRESPONDENCE FOR COMMITTEE'S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated February 3, 2022 (No Objection) 12

### 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/seconded required)

*THAT* the minor variance applied for in Application A04/22, for the property described  
as Con 12, Pt Lot 9, geographic township of Arthur, with a civic address of 6816  
Sideroad 4, to provide the following relief;

1. **THAT an increased total floor area of 780.3 m<sup>2</sup> (8,400 ft<sup>2</sup>) be permitted, for  
a proposed addition to an existing shop, whereas the By-law allows  
594.56 m<sup>2</sup> (6,400 ft<sup>2</sup>).**

### APPLICATION

A05/22 – Phares & Mary Martin

**THE LOCATION OF THE SUBJECT PROPERTY** is described as DIV 4, Lot 2 EOSR  
and is municipally known as 9885 Highway 6. The property is approximately 17.12 ha  
(42.3 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  
interior side yard setback for an accessory structure. This minor variance is a condition  
of severance application B15/21, that was granted provisional approval by the  
Wellington County Land Division Committee. The applicants have two existing sheds  
and a barn located closer than the minimum 18.3 m (60 ft) interior side yard setback.  
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 February 2,  
2022.

## PRESENTATIONS

Matthieu Daoust, Planner and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated February 16, 2022

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## CORRESPONDENCE FOR COMMITTEE'S REVIEW

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated February 3, 2022 (No Objection)

Michael Oberle, Saugeen Conservation

- Email dated February 4, 2022 (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

## COMMENTS/QUESTIONS FROM THE COMMITTEE

## DECISION

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

*THAT* the minor variance applied for in Application A05/22, for the property described as DIV 4, Lot 2 EOSR, geographic township of Arthur with a civic address of 9885 Highway 6, to provide the following relief;

1. **THAT a reduced Interior Side Yard Setback of 8.8m (28.87 ft) be permitted, for an existing Barn, whereas the By-law requires 18.3m (60 ft).**
2. **THAT a reduced Interior Side Yard Setback of 5.6m (18.37 ft) be permitted, for an existing Shed 1, whereas the By-law requires 18.3m (60 ft).**
3. **THAT a reduced Interior Side Yard Setback of 14.8m (48.55 ft) be permitted, for an existing Shed 2, whereas the By-law requires 18.3m (60 ft).**

## APPLICATION

A06/22 – Mike & Sarah Saunders

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Con 11, N Pt Lot 12 and is Municipally known as 9196 Concession 11. The property is approximately 0.8 ha (2 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 maximum floor area for an accessory structure. The applicant is proposing to construct a pool pavilion with a floor area of 59.4 m<sup>2</sup> (640 ft<sup>2</sup>). The subject lands contain an existing 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) accessory structure. 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 February 2, 2022.

## PRESENTATIONS

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

- Planning Report dated February 3, 2022

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## CORRESPONDENCE FOR COMMITTEE'S REVIEW

## 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 A06/22, for the property described as Con 11, N Pt Lot 12, geographic township of Arthur with a civic address of 9196 Concession 11, to provide the following relief;

1. **THAT a combined maximum floor area for accessory buildings of 282.4 m<sup>2</sup> (3,040 ft<sup>2</sup>) be permitted, for a proposed covered pavilion/pool equipment shed, whereas the By-law permits 227.6 m<sup>2</sup> (2,450 ft<sup>2</sup>).**

## ADJOURNMENT

Recommendation:

*THAT* the committee of adjustment meeting of February 22, 2022 be adjourned.

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH**  
**MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT**  
**FEBRUARY 7, 2022 @ 2:00 P.M.**  
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=YhBLNd8MsZc>

**Members Present:**

**Mayor:** Andrew Lennox  
**Councillors:** Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake

**Staff Present:**

<b>Chief Administrative Officer:</b>	<b>Michael Givens</b>
<b>Director of Legislative Services/Clerk:</b>	<b>Karren Wallace</b>
<b>Deputy Clerk:</b>	<b>Catherine Conrad</b>
<b>Director of Finance:</b>	<b>Adam McNabb</b>
<b>Payroll Administrator:</b>	<b>Laura Rooney</b>
<b>Director of Operations:</b>	<b>Matthew Aston</b>
<b>Manager of Environment and Development Services:</b>	<b>Corey Schmidt</b>
<b>Compliance Analyst:</b>	<b>Sara McDougall</b>
<b>Community Recreation Coordinator:</b>	<b>Mandy Jones</b>
<b>Manager of Recreation Services:</b>	<b>Tom Bowden</b>
<b>Economic Development Officer:</b>	<b>Dale Small</b>
<b>Director of Fire Services:</b>	<b>Chris Harrow</b>
<b>Risk Management Official:</b>	<b>Kyle Davis</b>
<b>Manager of Development Planning:</b>	<b>Curtis Marshall</b>
<b>Senior Planner:</b>	<b>Jessica Rahim</b>
<b>Senior Planner:</b>	<b>Mathieu Daoust</b>

**CALLING TO ORDER - Chairperson Lennox**

Chairperson Lennox called the meeting to order.

**DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest declared.

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, January 24, 2022 (A01/22, A02/22)

RESOLUTION: CoA 2022-003

Moved: Hern

Seconded: McCabe

THAT the Committee of Adjustment meeting minutes of January 24, 2022 – A01/22 & A02/22 be adopted as presented.

CARRIED

## APPLICATION

A03/22 - Harold & Bertha Martin

**THE LOCATION OF THE SUBJECT PROPERTY** is described Concession 11, S Part Lot 7 and is municipally known as 9372 Concession 11, Mt Forest. The subject lands are approximately 8.98 ha (22.21 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to provide relief from the minimum lot area for a hobby barn. The applicant is proposing to construct a new 364.17m<sup>2</sup> (3,920 ft<sup>2</sup>) hobby barn (beef barn). 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 January 21, 2022.

## PRESENTATIONS

Matthieu Daoust, Planner reviewed comments prepared by himself and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated February 1, 2022

Clarification: the application is viewed as a barn, not a hobby barn.

Planning Opinion: The variance requested would provide relief from the minimum lot area for a barn. The applicants are proposing to construct a new barn (beef barn) with a floor area of 364.17m<sup>2</sup> (3,920 ft<sup>2</sup>) on the subject property.

We have no concerns with the application as it generally maintains the intent and purpose of the Official Plan and Zoning By-law as the lands are located within an agricultural area and zoned accordingly.

### SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Concession 11, S Part Lot 7 and is municipally known as 9372 Concession 11, Mt Forest. The property is approximately 8.98 ha (22.21 ac) in size has an existing dwelling and two sheds.

### PROPOSAL

The purpose of this application is to provide relief from the minimum lot area for a barn on a lot approximately 8.98 ha (22.21 ac) in size. The applicant is requesting permission to construct a new barn (beef barn) with a floor area of 364.17m<sup>2</sup> (3,920 ft<sup>2</sup>).

### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated 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.

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

The subject property is zoned Agricultural (A). The current provisions permit a barn on lots less than 35 ha (86 ac) but more than 10.1 ha (25 ac). The subject property is approximately 8.98 ha (22.21 ac). The applicant is proposing to construct a new barn (beef barn) with a floor area of 364.17m<sup>2</sup> (3,920 ft<sup>2</sup>). With respect to the impact, the property is surrounded by agricultural uses and a residential use. It appears that the dwelling located at 9370 Concession 11 would be closer to an existing barn than the proposed barn on 9372 Concession 11. The following relief is requested:

<b>Barn</b>	<b>Required lot Area</b>	<b>Proposed Lot Area</b>	<b>Difference</b>
Minimum Lot Area	10.1 ha (25 ac)	8.98 ha (22.21 ac)	1.12 ha (2.76 ac)

The variance requested is minor and appropriate for the use of the lot. The applicant has indicated that variance requested is to construct a new barn to house beef cattle. The variance meets 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.

**CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated January 27, 2022 (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**

Harold Martin, applicant, was present to answer questions regarding the application.

Corey Braund, neighbour at 9370 Concession 11, was supportive of the application.

**COMMENTS/QUESTIONS FROM THE COMMITTEE**

No comments or question from the Committee.

**DECISION**

CALL FOR VOTE: SHOW OF HANDS

*THAT* the minor variance applied for in Application A03/22, for the property described as Concession 11, S Part Lot 7, geographic Township of Arthur, with a civic address of 9372 Concession 11, to provide the following relief;

1. **THAT a decreased Lot Area of 8.98 ha (22.21 ac) be permitted, for a proposed livestock facility, whereas the By-Law requires 10.1 ha (25 ac).**

**APPROVED**

**ADJOURNMENT**

RESOLUTION: CoA 2022-004

Moved: Burke

Seconded: McCabe

THAT the committee of adjustment meeting of February 7, 2022 be adjourned.

\_\_\_\_\_  
Secretary Treasurer

\_\_\_\_\_  
Chair



**JAMES M. MARTIN**





## 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

February 16<sup>th</sup>, 2022

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 A04/22**  
**Concession 12, Part Lot 9**  
**6816 Sideroad 4**  
**James Martin**

We have reviewed the application for 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 provide relief from the maximum floor area requirements for an existing home industry (Lumber Mill). The applicants are proposing to construct a 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) addition to an existing 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) shop for additional storage space.

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 Concession 12, Part Lot 9 and is Municipally known as 6816 Side Road 4, Geographic Township of Arthur. The property is approximately 61.16 ha (151.13 ac) in size with an existing dwelling, barn, two sheds and a home industry (lumber mill). The location of the property is shown on Figure 1 below.

### PROPOSAL

The purpose of this application is to provide relief from the maximum floor area requirements for an existing home industry (lumber mill) on the subject property. The proposed variance will permit an increased floor area of 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) to an existing 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) shop in order to

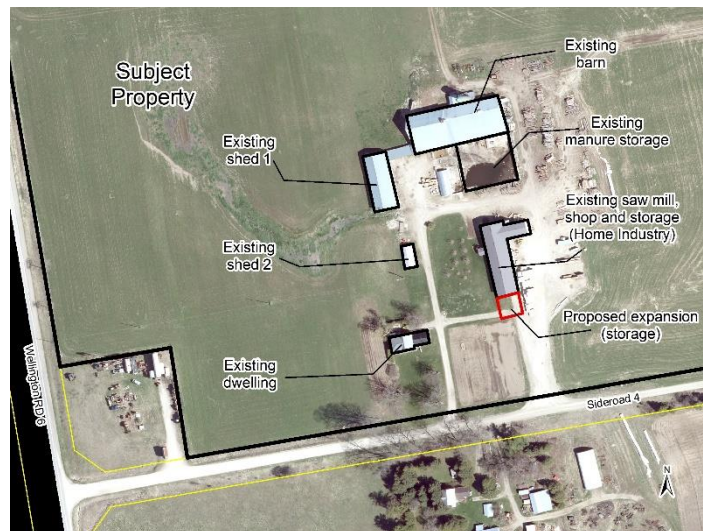


Figure 1: 20202 Aerial photo

store pallets manufactured on site. The current site specific zoning by-law permits a maximum floor area of 594.56 m<sup>2</sup> (6,400 ft<sup>2</sup>).

**WELLINGTON COUNTY OFFICAL PLAN**

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The identified features include Maitland Valley Conservation Authority regulated Provincially Significant Wetlands, Hazard Lands and an Environmentally Sensitive Area. The proposed home industry is located outside the Core Greenland features on the property.

Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that a home business includes home industries which “are small in scale with a limited number of employees, and minimal off site impacts – examples include minor equipment repair, woodworking, crafts, and welding”.

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 Site Specific (A-155) and Natural Environment (NE) Zone. The applicant is proposing to construct a 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) addition to an existing 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) shop for a total floor area of 780.30 m<sup>2</sup> (8,400 ft<sup>2</sup>) for an existing home industry. The applicants have indicated that the additional space will be used to store wooden pallets manufactured on site. The home industry is to remain small scale and secondary to the main use on the property. The property appears to be large enough to accommodate the addition to the home industry.

The variance requested would provide relief from Section 33.155 site specific of Zoning By-law 66-01 to expand the existing Home Industry (Lumber Mill) with an increased floor area of 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>).

Home Industry	Required	Proposed	Difference
Site Specific Regulations Section 33.155a	594.56 m <sup>2</sup> (6,400 ft <sup>2</sup> )	780.3 m <sup>2</sup> (8,400 ft <sup>2</sup> )	185.74 m <sup>2</sup> (2,000 ft <sup>2</sup> )

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Asavari Jadhav,  
 Junior Planner



Matthieu Daoust, MCIP RPP  
 Planner



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](mailto:tpringle@wellington-north.com))

February 3, 2022

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

ATTENTION: Tammy Pringle, Development Clerk

Dear Ms. Pringle,

RE: Proposed Minor Variance A04-22 (James M. Martin)  
6816 Sideroad 4  
Part Lot 9 Concession 12  
Roll No.: 23480000912300  
Geographic Township of Arthur  
Township of Wellington North

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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 Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

### **Purpose**

The purpose and effect of the application is to provide relief from the maximum square footage for an existing home industry (lumber mill). The applicant is proposing to construct a 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) addition to an existing 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) shop. Other variances may be considered where deemed appropriate.

### **Recommendation**

SVCA staff find the application acceptable.

Please be advised that the western portion of the property including the location of the existing farmstead and the location for proposed development, is located within the Maitland Valley Conservation Authority (MVCA) watershed, while the eastern portion of the property, is located within the SVCA watershed. Therefore, these comments only refer to the portion of the property within the SVCA watershed. Please refer to information from MVCA for that part of the property within the MVCA watershed.



### **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 A04-22 (James M. Martin)  
February 3, 2022  
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### **DELEGATED RESPONSIBILITY AND ADVISORY COMMENTS**

**SVCA staff has reviewed the development proposal through 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). We have also reviewed the development proposal through our responsibilities as a service provider to the County of Wellington in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.**

#### **Natural Hazards:**

Areas of the property are designated Core Greenlands or Greenlands in the County of Wellington Official Plan (OP), Schedule A6 Wellington North and are zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law No. 66-01. In general, no new buildings or structures are permitted within the Core Greenlands and Greenlands designation or the NE zone. SVCA staff are of the opinion that the Core Greenlands and Greenlands designation and the NE zone for the property generally coincide with the hazardous lands mapping as plotted by SVCA staff. The Core Greenlands and Greenlands designation is identifying wetlands, watercourses and their floodplain, and woodlands. It is the understanding of SVCA staff that the proposal is for an addition to an existing shop and the location of proposed development will not be located within the Core Greenlands or Greenlands designation or in the NE zone.

#### **Provincial Policy Statement – Section 3.1**

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands, and hazardous sites. It is the opinion of SVCA staff that the development proposal is consistent with Section 3.1.1 of the PPS, 2020.

#### **Wellington County OP Policies**

Section 5.4.3 of the Wellington County OP generally directs development to be located outside of Hazardous Lands. It is the opinion of SVCA staff that, the development proposal is consistent with Wellington County OP policies.

#### **Natural Heritage:**

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: part of Clifford-Harriston Wetland Complex Provincially Significant Wetlands, significant woodlands, fish habitat, significant wildlife habitat, and potentially the habitat of endangered species and threatened species.

#### **Provincial Policy Statement – Section 2.1**

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant wetlands, significant woodlands, fish habitat, significant wildlife habitat, and the habitat of endangered species and threatened species, and the adjacent lands to the above referenced features, except in accordance with Policies found in Section 2.1.



Township of Wellington North  
Proposed Minor Variance A04-22 (James M. Martin)  
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### Wellington County OP Policies

#### Clifford-Harriston Wetland Complex Provincially Significant Wetlands (PSW)

Part of Clifford-Harriston Wetland Complex PSW is located on the property. According to section 5.4.1 of the Wellington County OP, all wetlands are included in the Core Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP. Based on the development proposal, development will not be located within the wetlands or their adjacent lands therefore it is the opinion of SVCA staff that development as proposed conforms to the applicable wetland policies found in the Wellington County OP.

#### Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP in accordance with section 5.5.4 of the Wellington County OP. The woodlands on the property are considered significant woodlands. Based on the development proposal, development will not be located within the woodlands or their adjacent lands. It is the opinion of SVCA staff that development as proposed conforms to the applicable significant woodland policies found in the Wellington County OP.

#### Fish Habitat and its Adjacent Lands

According to information available to SVCA staff, an unnamed tributary of Bell's Creek (Bethel Creek) headwaters on the property. The watercourse is considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. Based on the development proposal, development will not be located within the fish habitat or their adjacent lands. It is the opinion of SVCA staff that development as proposed conforms to the applicable fish habitat policies found in the Wellington County OP.

#### Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or adjacent to the property. Section 5.5.1 of the Wellington County OP states, in part, that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. Based on the development proposal, development will not be located within the significant wildlife habitat or their adjacent lands. It is the opinion of SVCA staff that development as proposed conforms to the applicable significant wildlife habitat policies found in the Wellington County OP.

#### Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. Section 5.4.2 of the Wellington County OP states in part that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant/landowner to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be sent via email to: SAROntario@ontario.ca.

### STATUTORY COMMENTS

**SVCA staff has reviewed the development proposal as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake**

Township of Wellington North  
Proposed Minor Variance A04-22 (James M. Martin)  
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**shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

The majority of the property located within the SVCA watershed is within the SVCA's Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area requires the permission from SVCA, prior to work commencing.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And; "Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

For the property, the SVCA Approximate Screening Area is representing the watercourse and floodplain as well as parts of Clifford-Harriston Wetland Complex PSW and an offset distance of 120 metres outwards from the wetland boundary. To determine the SVCA Approximate Screening Area on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

#### SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, within the SVCA Approximate Screening Area may require permission (SVCA Permit) prior to those works commencing.

The exiting farmstead is not within the SVCA watershed, and so an SVCA permit is not required for proposed development.

#### Summary

SVCA staff has reviewed the application in accordance with our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

The proposed minor variance is acceptable to SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;

Township of Wellington North  
Proposed Minor Variance A04-22 (James M. Martin)  
February 3, 2022  
Page 5 of 5

- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner.

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,

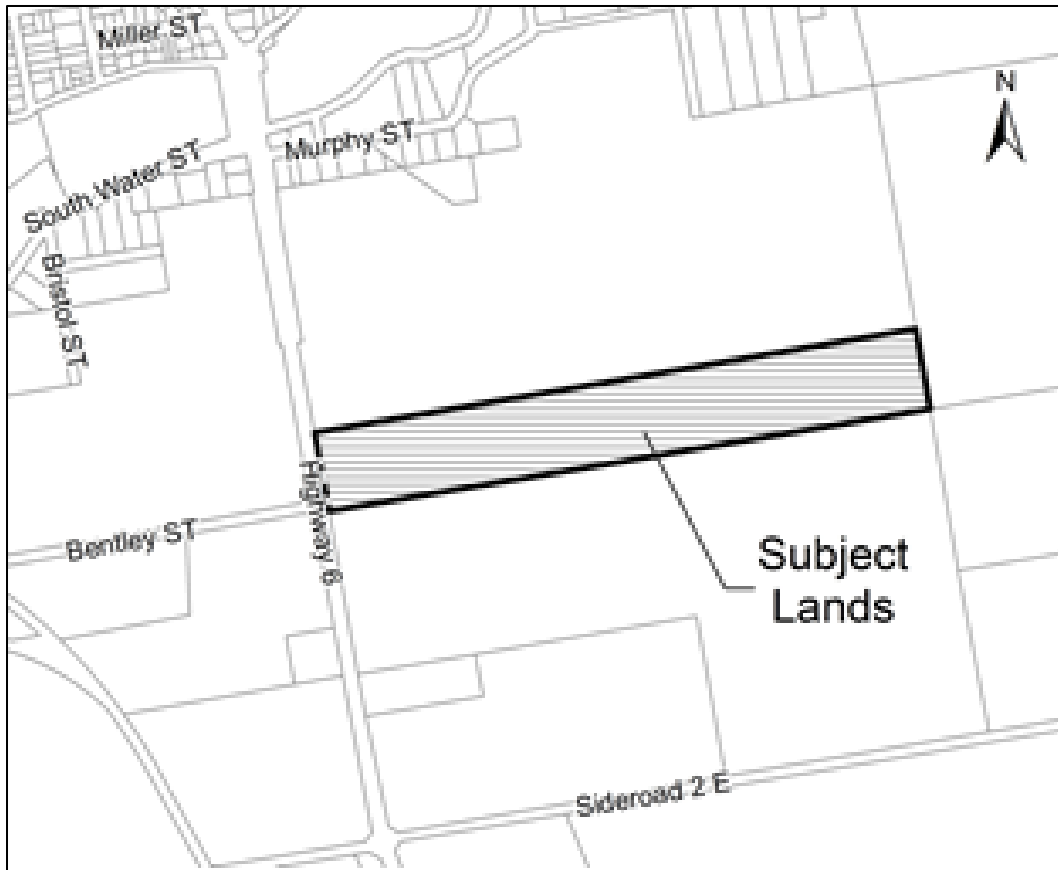


Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Karen Wallace, Clerk, Township of Wellington North (via email)  
Steve McCabe, SVCA Member representing the Township of Wellington North (via email)  
Patrick Huber-Kidby, Planning and Regulations Supervisor, MVCA (via email)



**PHARES & MARY MARTIN**





## 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

February 16<sup>th</sup>, 2022

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 A05/22**  
**9885 Highway 6**  
**Phares and Mary Martin**

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

**Planning Opinion:** The variance requested would provide relief from the minimum interior side yard set back requirements for accessory structures. This variance is associated with consent application B15/21, that was granted provisional approval by the Wellington County Land Division Committee.

We have no concerns with the relief requested. We 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 DIV 4, Lot 2 EOSR and is municipally known as 9885 Highway 6. The property is approximately 17.12 ha (42.3 ac) in size. The location is shown on Figure 1.

### PROPOSAL

The purpose of this application is to provide relief from the minimum interior side yard set back requirements for a barn and two sheds on a lot approximately 17.12 ha (42.3 ac) in size. This variance is associated with consent application B15/21, that was granted provisional approval by the Wellington County Land Division Committee. The applicants have two existing sheds and a barn located closer than the minimum 18.3m (60 ft) interior side yard setback.

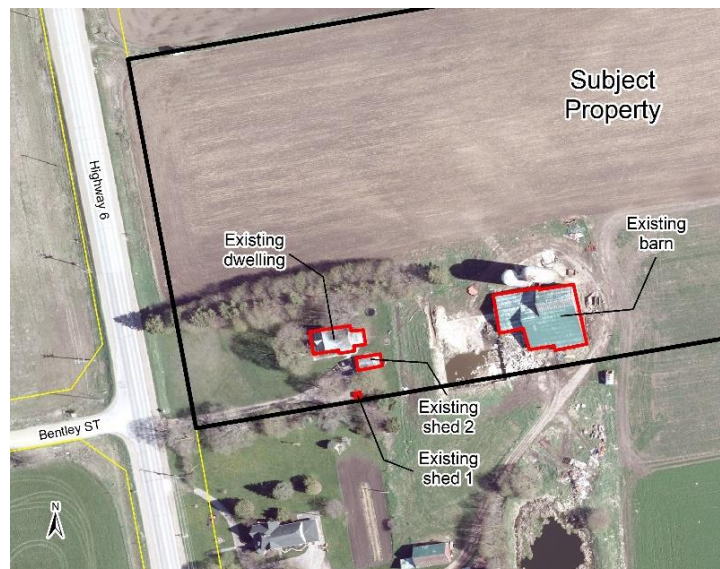


Figure 1. 2020 Aerial photo

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated 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.

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

The subject property is zoned Site Specific Agriculture (A-1). The site specific provision precludes new livestock facilities and manure storage facilities. The subject property is approximately 17.12 ha (42.3 ac) in size and has an existing dwelling, two sheds and a barn. The variance requested is to satisfy a condition of severance application B15/21, that was granted provisional approval by the Wellington County Land Division Committee. The applicant has confirmed that there is no livestock in the barn.

<b>Accessory Structure</b> Minimum Interior Side Yard Setback (Section 8.2.4 d)	<b>Minimum Required</b>	<b>Proposed</b>	<b>Difference</b>
Barn	18.3 m (60 ft)	8.8 m (28.87 ft)	9.5 m (31.13 ft)
Shed 1	18.3 m (60 ft)	5.6 m (18.37 ft)	12.7 m (41.63 ft)
Shed 2	18.3 m (60 ft)	14.8 m (48.55 ft)	3.5 m (11.45 ft)

The variance requested to satisfy a condition of severance application B15/21, that was granted provisional approval by the Wellington County Land Division Committee. 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,

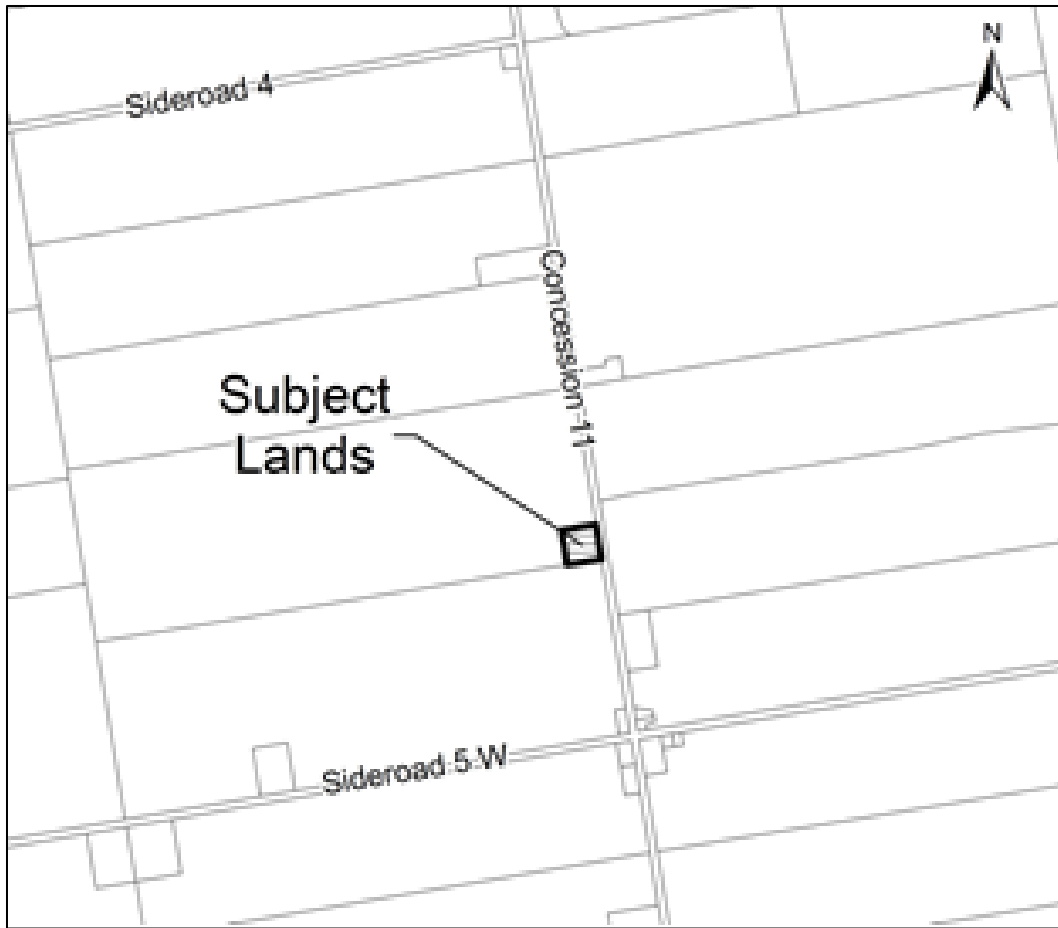


Asavari Jadhav  
Junior Planner



Matthieu Daoust, RPP MCIP  
Planner

**MIKE & SARAH SAUNDERS**







## COUNTY OF WELLINGTON

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February 3<sup>rd</sup>, 2022

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 A06/22**  
**9196 Concession 11**  
**Mike & Sarah Saunders**

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

**Planning Opinion:** The variance requested would provide relief from the maximum floor area for an accessory structure. The applicants are proposing to construct a 59.4 m<sup>2</sup> (640 ft<sup>2</sup>) covered pavilion/pool equipment shed. There is also an existing 222.9 m<sup>2</sup> (2,400 ft<sup>2</sup>) garage on the subject lands.

We have no concerns with the requested relief. 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 Con 11, N Pt Lot 12 and is Municipally known as 9196 Concession 11. The property is approximately 0.8 ha (2 ac) in size. The location is shown on Figure 1.

### PROPOSAL

The purpose of this application is to provide relief from the maximum floor area for an accessory structure. The applicant is proposing to construct a 59.4 m<sup>2</sup> (640 ft<sup>2</sup>) covered pavilion/pool equipment shed.



Figure 1. 2020 Aerial photo of subject lands

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated 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.

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

The subject property is zoned Agricultural (A). Per Section 6.1.4b), based on the applicants 0.8 ha (2 ac) lot area they would be permitted a maximum floor area of 227.6 m<sup>2</sup> (2,450 ft<sup>2</sup>) for all accessory structures. The applicant is proposing to construct a new accessory structure and required the following variance:

<b>General Provisions</b>	<b>Permitted</b>	<b>Proposed</b>	<b>Difference</b>
<b>Lot Coverage</b> (Section 6.1.4b)	227.6 m <sup>2</sup> (2,450 ft <sup>2</sup> )	282.4 m <sup>2</sup> (3,040 ft <sup>2</sup> )	54.8 m <sup>2</sup> (589.8 ft <sup>2</sup> )

The variance requested is minor and appropriate for the use of the lot. 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, MCIP RPP  
Planner