

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
FEBRUARY 22, 2022 @ 7:00 P.M.
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=drBMPEdWcXg>**

Members Present:

Mayor: Andrew Lennox
Councillors: 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
Director of Operations:	Matthew Aston
Manager of Environment and Development Services:	Corey Schmidt
Community Recreation Coordinator:	Mandy Jones
Manager of Recreation Services:	Tom Bowden
Economic Development Officer:	Dale Small
Chief Building Official:	Darren Jones
Director of Fire Services:	Chris Harrow
Manager of Development Planning:	Curtis Marshall
Senior Planner:	Jessica Rahim
Planner:	Matthieu Daoust

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, February 7, 2022 (A03/22)

RESOLUTION: CoA 2022-005

Moved: Burke

Seconded: McCabe

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

CARRIED

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 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 m² (2,400 ft²) addition to an existing 557.4 m² (6,000 ft²) 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

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 m² (2,400 ft²) addition to an existing 557.4 m² (6,000 ft²) 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).

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 m² (2,400 ft²) to an existing 557.4 m² (6,000 ft²) shop in order to store pallets manufactured on site. The current site specific zoning by-law permits a maximum floor area of 594.56 m² (6,400 ft²).

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 m² (2,400 ft²) addition to an existing 557.4 m² (6,000 ft²) shop for a total floor area of 780.30 m² (8,400 ft²) 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 m² (2,400 ft²).

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

CORRESPONDENCE FOR COMMITTEE’S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated February 3, 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

James M. Martin, Applicant, was present to answer any questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS

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 m² (8,400 ft²) be permitted, for a proposed addition to an existing shop, whereas the By-law allows 594.56 m² (6,400 ft²).**

APPROVED

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 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

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.

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.

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.

Accessory Structure Minimum Interior Side Yard Setback (Section 8.2.4 d)	Minimum Required	Proposed	Difference
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.

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

No one was present to provide comments or questions regarding the application

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS

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).**

APPROVED

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 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 m² (640 ft²). The subject lands contain an existing 222.9 m² (2,400 ft²) 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

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 m² (640 ft²) covered pavilion/pool equipment shed. There is also an existing 222.9 m² (2,400 ft²) 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.

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 m² (640 ft²) covered pavilion/pool equipment shed.

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 m² (2,450 ft²) for all accessory structures. The applicant is proposing to construct a new accessory structure and required the following variance:

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

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.

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

Sarah Saunders, Applicant, was present.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconded 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 m² (3,040 ft²) be permitted, for a proposed covered pavilion/pool equipment shed, whereas the By-law permits 227.6 m² (2,450 ft²).**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2022-006

Moved: Burke

Seconded: Hern

THAT the committee of adjustment meeting of February 22, 2022 be adjourned at 7:22 p.m.

CARRIED

Secretary Treasurer

Chair