

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 4, 2016 – 7:00 P.M.
A02/16 AND A03/16**

The Committee of Adjustment met at the Kenilworth Municipal Office Council Chambers.

Members Present:

**Chairman: Andy Lennox
Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake**

**Also Present: Secretary-Treasurer/Clerk: Karren Wallace
Chief Administrative Officer: Michael Givens
Executive Assistant: Cathy Conrad
Chief Building Official: Darren Jones
Director of Public Works: Matthew Aston
Economic Development Officer: Dale Small
Tourism, Marketing, Promotion Manager: April Marshall
Treasurer: Kim Henderson
Manager of Planning and Environment: Mark Van Patter**

THE CHAIRMAN CALLED THE MEETING TO ORDER

RESOLUTION NUMBER CoA 2016-05

Moved by: Member McCabe

Seconded by: Member Burke

THAT the agenda for the April 4, 2016 Committee of Adjustment meeting be accepted and passed.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

MINUTES

RESOLUTION NUMBER CoA 2016-0

Moved by: Member Burke

Seconded by: Member McCabe

THAT the Committee of Adjustment meeting minutes of February 29, 2016 be adopted as presented.

CARRIED

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, APRIL 4, 2016 – 7:00 P.M.
A02/16 AND A03/16**

The public meeting is held to consider Minor Variance Applications A02/16 and A03/16 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

APPLICATION A02/16

Owners/Applicant: Patricia and Richard Sharpe

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 5, with a civic address of 220 Normanby St N. The subject land is approximately 2,072 sq. m. (0.51 acres).

THE PURPOSE AND EFFECT of the application is to provide relief from the required minimum frontage for two new lots being created by severance application B132/15. The severed lot (vacant) frontage is to be reduced from 15 m. down to 13.97 m. The retained lot (existing dwelling) frontage is to be reduced from 15 m. down to 14.77 m. In addition, the left interior side yard for the retained lot with existing dwelling is to be reduced from 1.8 m. down to 1.2 m. The variances requested will satisfy a condition related to the severance application.

Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on March 23rd, 2016, in accordance with the Planning Act.

PRESENTATION

Mark Van Patter, Manager of Planning and Environment, reviewed comments provided by Linda Redmond, Senior Planner, dated March 29, 2016.

Planning Opinion: The variances requested would allow a minor reduction in the minimum frontage and side yard setback to permit the construction of a single family dwelling and facilitate the severance of the subject lands. The Planning Department had no concerns with the relief requested at this time. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The property is described as Lot 5, with a civic address of 220 Normanby Street North, Mount Forest. The subject land is approximately 0.2 ha (0.5 ac.) and is currently occupied by a single family dwelling.

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PROPOSAL

The purpose of this application is to provide relief from the minimum lot frontage and interior side yard regulations to facilitate the development of the parcel for residential dwellings.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL. 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 currently zoned site specific Residential (R2-51) to permit a semi detached dwelling. The applicants have severed the property and are proposing to construct a single family dwelling on the vacant parcel and retain the dwelling on the retained parcel. In order to facilitate this proposal and as a condition of consent the following variances are required:

1. A minimum frontage for the severed lot (B132/15-north half) of 13.97m (45.8 ft.), whereas 15 m (50 ft.) is required.
2. A minimum frontage for the retained lot (B132/15-south half) of 14.77m (48.4 ft.), whereas 15 m (50 ft.) is required.
3. A minimum interior side yard for the retained lot (B132/15-south half) of 1.2m (3.9ft), whereas 1.8 (5.9 ft) is required.

Mr. Van Patter noted a conversion error in the comments and the 15 m (50 ft.) frontage referred to in the comments should be 15 m (49.2 ft.)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Michael Oberle, Environmental Planning Technician, SVCA

- Proposed minor variance is acceptable

Wellington North Power Inc.

- Request that the applicant notify Wellington North Power Inc. prior to completion of the building plans to request electrical service layout details and requirements

REQUEST FOR NOTICE OF DECISION

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

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CHAIRMAN OPENED THE FLOOR TO COMMENTS/QUESTIONS

Persons present who wish to make oral and/or written submissions in support of the proposed minor variance were invited to comment.

Bruce Fulcher, the applicant's agent, advised that the applicant had originally planned to demolish the existing house and build a duplex but has since decided to build a single family dwelling on severed the lot and keep the existing house on the retained lot.

Persons present who wish to make oral and/or written submissions against this application were invited to comment.

Penny Troyer, 230 Normanby St. N., noted discrepancies in the measurements on the sketch and survey and requested the property be rezoned to R1 instead of the current zoning of R2 with a proper side yard setback from her property. Ms. Troyer inquired about the trees along the property line.

Bruce Fulcher explained the dimensions filed are correct according to a survey that was completed last year. Any property owner may remove trees. The R2 zoning permits a duplex or semi detached; however, the intention is to construct a single family dwelling.

Mr. Van Patter stated the zoning does not need to be changed due to the size of the lot as he is requesting reduced frontage which only permits allows a single detached residence. He confirmed the reduced side yard will be on the retained lot.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Member Lennox requested clarification regarding the previous rezoning to allow a duplex. Mr. Van Patter explained that the by-law outlined options and only one option can be chosen.

Member Burke questioned if it is common practice that an owner with two properties would adjust the property line from where the existing house is located. Mr. Van Patter explained that the merits of each application are taken into account and the whole neighbourhood is considered.

RESOLUTION NUMBER CoA 2016-07

Moved by: Member Burke

Seconded by: Member McCabe

THAT the minor variance applied for in Application A02/16 to provide relief from the required minimum frontage for two new lots being created by severance

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application B132/15. The severed lot (vacant) frontage is to be reduced from 15 m. down to 13.97 m. The retained lot (existing dwelling) frontage is to be reduced from 15 m. down to 14.77 m. In addition, the left interior side yard for the retained lot with existing dwelling is to be reduced from 1.8 m. down to 1.2 m. be authorized.

CARRIED

APPLICATION A03-16

Owners/Applicant: Stephen Hummel

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 9 with a civic address of 320 Cork Street, Mount Forest. The subject land is approximately 0.13 ha (0.32 acres).

THE PURPOSE AND EFFECT of the application is to provide relief from the interior side yard setback regulations of section 12.2.6.4 for a street townhouse, which requires 3.0 m. The applicant is requesting an interior side yard setback of 1.9 m to accommodate the proposed dwelling. Other variances may be considered where deemed appropriate.

Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and signage was posted on the subject property on March 23rd, 2016, in accordance with the Planning Act.

PRESENTATION

Mark Van Patter, Manager of Planning and Environment, reviewed comments provided by Linda Redmond, Senior Planner, dated March 29, 2016.

Planning Opinion: The variances requested would allow a minor reduction in the minimum interior side yard setbacks to permit the construction of a three unit residential dwelling. The Planning Department had no concerns with the relief requested at this time. The side yard setback of 1.9 m will provide adequate space for access and separation to the abutting lands. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The property is described as Part lot 9, 61R-20624 with a civic address of 320 Cork St., Mount Forest. The subject land is approximately 0.13 ha (0.32 ac.) and is currently vacant.

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PROPOSAL

The purpose of this application is to provide relief from the minimum interior side yard setbacks to facilitate the development of three attached residential dwellings (street townhouses).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL. 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 currently zoned Residential (R2) which permits the proposed residential use. The proposal is to construct three bungalow style attached dwelling units. There is adequate frontage and area to accommodate this proposal, however in order to allow the bungalow style dwelling type the following variance is required:

1. A minimum interior side yard of 1.9m (6.2 ft), whereas 3m (9.8 ft) is required.

The intent of the zoning by-law with respect to interior yard setbacks is to allow adequate separation through an open space buffer between adjoining properties and to provide access for maintenance and drainage. The zoning by-law interior side yard setback standard for single family and semi-detached dwellings is 1.2m (3.9 ft.) for a one storey.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Michael Oberle, Environmental Planning Technician, SVCA

- Proposed minor variance is acceptable

Wellington North Power Inc.

- Request that the applicant notify Wellington North Power Inc. prior to completion of the building plans to request electrical service layout details and requirements

REQUEST FOR NOTICE OF DECISION

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

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CHAIRMAN OPENED THE FLOOR TO COMMENTS/QUESTIONS

Persons present who wish to make oral and/or written submissions in support of the proposed minor variance were invited to comment.

Stephen Hummel, applicant, noted this is a straight forward application and if it was a single detached or semi-detached residence the interior side yard setbacks would not be an issue.

Persons present who wish to make oral and/or written submissions against this application were invited to comment.

No one was present to make submissions against this application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Committee members had no comments or questions.

RESOLUTION NUMBER CoA 2016-08

Moved by: Member Hern

Seconded by: Member Yake

THAT the minor variance applied for in Application A03/16 to provide relief from the interior side yard setback regulations of section 12.2.6.4 for a street townhouse, which requires 3.0 m, down to 1.9 m to accommodate the proposed dwelling be authorized.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2016-09

Moved by: Member Yake

Seconded by: Member Hern

THAT the Committee of Adjustment meeting of April 4, 2016 be adjourned at 7:26 p.m.

CARRIED

Secretary Treasurer

Chairman