

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

The Committee of Adjustment met at the Kenilworth Municipal Office Council Chambers at 7:00 p.m.

**Members Present:**    **Chairman:**    **Andy Lennox**  
  **Sherry Burke**  
  **Mark Goetz**  
  **Steve McCabe**  
  **Dan Yake**

**Also Present:**                     **Secretary-Treasurer/Clerk, Karren Wallace**  
  **C.A.O./Deputy Clerk, Michael Givens**  
  **Manager of Planning and Environment, Mark Van Patter**  
  **Executive Assistant, Cathy Conrad**  
  **Chief Building Official, Darren Jones**  
  **Treasurer, Paul Dowber**  
  **Director of Public Works, Matthew Aston**  
  **Fire Chief, Dave Guilbault**

**THE CHAIRMAN CALLED THE MEETING TO ORDER**

**RESOLUTION NUMBER CoA 2015-009**

**Moved by:    Burke**

**Seconded by: Goetz**

*THAT the agenda for the April 13, 2015 Committee of Adjustment meeting be accepted and passed.*

**CARRIED**

**DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None Reported

**MINUTES**

**RESOLUTION NUMBER CoA 2015-010**

**Moved by:    Burke**

**Seconded by: Goetz**

*THAT the Committee of Adjustment meeting minutes of March 9, 2014 – A02/15 and A03/15 be adopted as presented.*

**CARRIED**

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

The public meeting was held to consider Minor Variance Application A04/15, A05/15, A06/15 and A07/15 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

**APPLICATION A04/15**

**Owners/Applicant: Elwyn Rice**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Part Park Lots 1 and 2, Registered Plan 60R3016, Parts 7, 8, 13 and 14, geographic Town of Mount Forest, with civic addresses of 500 & 510 Sligo Rd W and 657 Queen St W.

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to permit the construction of a new single-detached residential dwelling to be serviced by a private septic system whereas connection to municipal sewers would normally be required.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on April 1, 2015 as well as posted on the property pursuant to the legislation.

**Township Planner – Mark Van Patter reviewed the County Comments prepared by Linda Redmond dated April 7, 2015**

The applicant has requested relief to construct single-detached residences on three separate lots, to be serviced by a private septic system. If granted, the variance would recognize the individual on-site servicing where municipal servicing is normally required. Provided the Committee is satisfied that future municipal servicing on this lot is not reasonably anticipated, the Planning Department felt the application meets the general intent of the Official Plan and Zoning By-law and is minor and desirable for the appropriate development of the land.

The subject lands are located on Part Park Lots 1 and 2, Registered Plan 60R3016, Parts 7, 8, 13 and 14, geographic Town of Mount Forest, with civic addresses of 500 & 510 Sligo Rd W and 657 Queen St W.

The purpose of this application is to allow the construction of single-detached residences that are to be serviced by a private individual septic system, whereas connection to municipal sewers would normally be required.

Section 1.6.6.2 of the Provincial Policy Statement states that municipal services are the preferred form of servicing for settlement areas. However, Section 1.6.6.4 gives consideration to individual on-site services where municipal services are not provided subject to the municipality ensuring that those services satisfy the criteria set out in policy 1.6.6.5.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

Under the Wellington County Official plan the subject lands are currently designated INDUSTRIAL and HIGHWAY COMMERCIAL in the Urban Centre of Mount Forest. 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.

Section 7.5.2 gives consideration to individual on-site servicing for new development in an urban centre, stating that “Individual on-site servicing is not allowed in urban centres which have central systems except:...b) to allow a small scale use on an existing lot in an area where central services are not reasonably anticipated”.

Under the Township of Wellington North Zoning By-law the subject property is zoned R2 Residential in the Township of Wellington North Zoning By-law. Section 6.8 requires that development of any kind within the urban area of Mount Forest be serviced by municipal sewage collection and municipal water supply, with exception given to existing lots in the R1A zone.

**CORRESPONDENCE/COMMENTS RECEIVED**

Valerie Lamont, Environmental Planning Technician, SVCA

**QUESTIONS/COMMENTS**

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

No one was present to make oral and/or written submissions in support of the proposed minor variance.

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

No one was present to make oral and/or written submission against this application.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.
- Committee – Comments and Questions

Committee did not have any comments or questions.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

**RESOLUTION NUMBER CoA 2015-011**

**Moved by: Burke**

**Seconded by: Goetz**

*THAT the minor variance applied for in Application A04/15 to allow the construction of single-detached residences that are to be serviced by a private individual septic system, whereas connection to municipal sewers would normally be required for the property described as Part Park Lots 1 and 2, Registered Plan 60R3016, Parts 7, 8, 13 and 14, geographic Town of Mount Forest (500 and 510 Sligo Road West and 657 Queen Street West) be authorized.*

**CARRIED**

**APPLICATION A05/15**

**Owners/Applicant: Mary Mainland, Kay Giles, Earl Hutchison,  
Harvey Hutchison, Brian Hutchison and Stewart Hutchison**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as South Part Lot 4, Concession 4, geographic Township of West Luther, with a civic address of 8681 Sideroad 3. The subject land is approximately 38.68 ha (95.60 acres).

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to allow the construction of a shed on a parcel of land that does not have frontage or access on an open and maintained road (Section 6.10).

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on April 1, 2015 as well as posted on the property pursuant to the legislation.

**Township Planner – Mark Van Patter reviewed the County Comments prepared by Linda Redmond dated April 7, 2015**

The applicant has requested relief to construct a shed on a property that does not have access on a road that is maintained year round. Relief from section 6.10 is required in order to allow the shed. We have no concerns with this request as the building is not habitable.

The Planning Department had no concerns with 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. In addition, the Committee should be satisfied that the proposed accessory building is intended for personal use and not for habitable purposes. A condition of this nature may be warranted.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

The subject lands are located on South Part Lot 4, Concession 4, geographic Township of West Luther, with a civic address of 8681 Sideroad 3. The subject land is approximately 38.68 ha (95.60 acres) in size.

The purpose of this application is to allow the construction of a shed on a parcel of land that does not have frontage or access on a maintained road (Section 6.10).

Under the Wellington County Official plan the subject property is designated PRIME AGRICULTURAL and CORE GREENLAND. 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.

Under the Township of Wellington North Zoning By-law the subject property is zoned Agricultural and Natural Environment. The applicants would like to construct an 80.2 sq.m. (864 sq.ft.) shed on their property. The subject land has access on a portion of Sideroad 3 that is not maintained all year round. Section 6.10 requires that any building on a lot must abut a public street. The definition of a street requires the street is maintained. For the purposes of the zoning by-law “maintained” means year round maintenance. In this instance the road does not meet this requirement as it is not maintained year round.

**CORRESPONDENCE/COMMENTS RECEIVED**

Grand River Conservation Authority

- No objections

**QUESTIONS/COMMENTS**

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

No one was present to make oral and/or written submissions in support of the proposed minor variance.

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

No one was present to make oral and/or written submission against this application.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

- Committee – Comments and Questions

Councillor Burke questioned if the applicants will expect the road to be open year round if the minor variance is granted. Mr. Van Patter indicated that the applicant is not expecting the road to be open year round. This is a storage building not a home. Mayor Lennox explained that this building is replacing a building on the property that was used for storage.

**RESOLUTION NUMBER CoA 2015-012**

**Moved by: Yake**

**Seconded by: McCabe**

*THAT the minor variance applied for in Application A05/15 to allow the construction of a shed on a parcel of land that does not have frontage or access on an open and maintained road for the property described as South Part Lot 4, Concession 4, geographic Township of West Luther or approximately 68 ha (95.60 acres) be authorized with the condition that that the proposed accessory building is intended for personal use and not for habitable purposes.*

**CARRIED**

**APPLICATION A06/15**

**Owners/Applicant: Steven and Marie Archibald**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Part Lot 23, Concession B, geographic Township of Peel, with a civic address of 7987 Wellington Rd 12. The subject land is approximately 0.40 ha (1.01 acres).

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the maximum floor area and height requirement for a proposed accessory structure. The maximum floor area of accessory structures shall not exceed 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>) and shall not exceed 4.57 m. (15 ft.) in height. The applicant is requesting permission to construct a 111m<sup>2</sup> (1200 ft<sup>2</sup>) detached garage with a height of 5.18 m (17 ft.) for personal storage use.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on February 13, 2015 as well as posted on the property pursuant to the legislation.

**Township Planner – Mark Van Patter reviewed the County Comments prepared by Linda Redmond dated April 7, 2015**

The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a (rural) residential lot. The applicant is proposing to construct a 1200 ft<sup>2</sup> garage, whereas the by-law allows 1000 ft<sup>2</sup> maximum. In addition, the applicants are further requesting relief from the height restriction of 15 ft. to permit the proposed structure to have a height of approximately 17 ft.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

The Planning Department had no concerns with the size and scale 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. In addition, the Committee should be satisfied that the proposed accessory building is intended for the personal use and not for commercial purposes. A condition of this nature may be warranted.

The subject lands are described as Part Lot 23, Concession B, geographic Township of Peel, with a civic address of 7987 Wellington Rd 12. The subject land is approximately 0.40 ha (1.01 acres)

The purpose of this application is to provide relief from the maximum floor area and height requirement for a proposed accessory structure. The maximum floor area of accessory structures shall not exceed 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>) and shall not exceed 4.57 m. (15 ft.) in height. The applicant is requesting permission to construct a 111m<sup>2</sup> (1200 ft<sup>2</sup>) detached garage with a height of 5.18 m (17 ft.) for personal storage use.

Under the Wellington County Official Plan the subject property is designated PRIME 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.

Under the Township of Wellington North Zoning By-law the subject property is zoned Agricultural (A). The applicants are proposing to construct a new garage with the following required variances:

1. A total ground floor area of 111m<sup>2</sup> (1200 ft<sup>2</sup>), whereas section 6.1.4 of the By-law permits a total maximum ground floor area of 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>) for a lot this size.
2. A maximum height of 5.18 m (17 ft.), whereas the by-law allows a maximum height of 4.57 m. (15 ft.).

**CORRESPONDENCE/COMMENTS RECEIVED**

None

**QUESTIONS/COMMENTS**

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

No one was present to make oral and/or written submissions in support of the proposed minor variance.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

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

No one was present to make oral and/or written submission against this application.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.
- Committee – Comments and Questions

Committee did not have any comments or questions.

**RESOLUTION NUMBER CoA 2015-013**

**Moved by: McCabe**

**Seconded by: Yake**

*THAT the minor variance applied for in Application A06/15 to construct an 111m<sup>2</sup> (1200 ft<sup>2</sup>) detached garage with a height of 5.18 m (17 ft.) for personal storage use, whereas the by-law requires that the maximum floor area of accessory structures not exceed 92.0 m<sup>2</sup> (1000 ft<sup>2</sup>) and not exceed 4.57 m. (15ft.) in height for the property described as Part Lot 23, Concession B, geographic Township of Peel (7987 Wellington Road 12) be authorized.*

**CARRIED**

**APPLICATION A07/15**

**Owners/Applicant: Home Hardware Stores Ltd.**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Part Lot 32, Concession 1, geographic Township of Normanby, with a civic address of 525 Main St N. The subject land is approximately 2.41 ha (5.97 acres).

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from section 6.27, required parking and barrier free parking space requirements and section 6.26, outdoor storage area and required setback for outdoor storage. The applicants are proposing to construct 929 sq.m (10,000 sq.ft.) addition onto the existing Home Hardware Building Centre. The proposal also includes a new 1021.9 sq.m (11,000 sq.ft.) storage shed on the site. Other variances related to addition or parking may be considered further where deemed appropriate.

The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on April 1, 2015 as well as posted on the property pursuant to the legislation.



**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

**Township Planner – Mark Van Patter reviewed the County Comments prepared by Linda Redmond dated April 7, 2015**

The variances requested would provide relief from section 6.27, required parking and barrier free parking space requirements and section 6.26, outdoor storage area and required setback for outdoor storage. The applicants are proposing to construct 929 sq.m (10,000 sq.ft.) addition onto the existing Home Hardware Building Centre. The proposal also includes a new 1021.9 sq.m (11,000 sq.ft.) storage shed on the site.

Staff are pleased to see this proposal moving forward and have no concerns with the variances requested. 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.

The subject lands are described as Part Lot 32, Concession 1, geographic Township of Normanby, with a civic address of 525 Main St N. The subject land is approximately 2.41 ha (5.97 acres).

The purpose of this application is to provide relief from section 6.27, required parking and barrier free parking space requirements and section 6.26, outdoor storage area and required setback for outdoor storage. The applicants are proposing to construct 929 sq.m (10,000 sq.ft.) addition onto the existing Home Hardware Building Centre. The proposal also includes a new 1021.9 sq.m (11,000 sq.ft.) storage shed on the site.

The subject property is designated HIGHWAY COMMERCIAL under the Wellington County Official Plan. 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.

Under the Wellington North Zoning By-law the subject property is zoned Commercial (C2). In order to facilitate the proposed addition and storage building the following variances are required:

1. Minimum parking spaces of 113, whereas 171 are required;
2. Minimum barrier free spaces of 6, whereas 10 are required;
3. Outdoor storage area to occupy 45% of the site, whereas the by-law permits 40%;
4. A minimum setback of 3 m (9.8 ft.) for outdoor storage area, whereas 7.6 m (24.9 ft.) is required.

The current use and addition will require parking of 171 vehicles, whereas 113 spaces are proposed. It should be noted that the parking area does not currently meet the required parking criteria, however there are additional spaces proposed as part of this development. The owner has done a parking study which included a vehicle count on

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

various days at various times. The daily average number of cars in the parking lot ranged from 16 to 22. Based on this it would indicate that the need for 171 parking spaces would be excessive and the variance to reduce the parking area to 113 spaces is minor in nature.

Based on the parking study the results would indicate that the need for 10 barrier free parking spaces is not warranted. Therefore a reduction to 6 spaces is a minor adjustment to the requirements.

The property currently has a large outdoor storage area. The proposed 1021 sq.m (10,990 sq.ft.) storage building will add great value to the site and provide some opportunity for inside storage. The property is surrounded by industrial/commercial uses, in particular parking areas. As such the requirement for a 7.6 m (24.9 ft) setback is not warranted. A 3m (9.8 ft) setback would be adequate and allow the lumber area to continue in its current state. The applicant has indicated that they are prepared to provide some landscaping features along the perimeter of the site. This combined with a 3m setback would provide adequate buffering.

**CORRESPONDENCE/COMMENTS RECEIVED**

- Scott Patterson, Principal, Senior Planner, Labreche Patterson & Associates Inc.  
(Applicant's Agent)
  - Addendum to application
- Valerie Lamont, Environmental Planning Technician, SVCA

**QUESTIONS/COMMENTS**

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

Scott Patterson, Applicant's Agent was present to answer questions regarding the application.

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

No one was present to make oral and/or written submission against this application.

- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, APRIL 13, 2015  
A04/15, A05/15, A06/15 and A07/15**

- Committee – Comments and Questions

The Committee commented that it is nice to see this business expansion.

**RESOLUTION NUMBER CoA 2015-014**

**Moved by: Yake**

**Seconded by: McCabe**

*THAT the minor variance applied for in Application A07/15 regarding:*

- 1. Minimum parking spaces of 113, whereas 171 are required;*
- 2. Minimum barrier free spaces of 6, whereas 10 are required;*
- 3. Outdoor storage area to occupy 45% of the site, whereas the by-law permits 40%;*
- 4. A minimum setback of 3 M (9.8 ft.) for outdoor storage area, whereas 7.6 m (24.9 ft.) is required*

*for the property described as Part Lot 32, Concession 1, geographic Township of Normanby (525 Main Street North) be authorized.*

**CARRIED**

**ADJOURNMENT**

**RESOLUTION NUMBER CoA 2015-015**

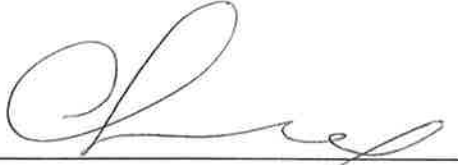
**Moved by: Goetz**

**Seconded by: Yake**

*THAT the Committee of Adjustment meeting of April 13, 2015 be adjourned at 7:17 p.m.*

**CARRIED**

  
Secretary Treasurer

  
Chairman