



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Committee of Adjustment

Monday, April 28, 2014 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 2

AGENDA ITEM	PAGE NO.
<p>Chairman</p> <ol style="list-style-type: none">1. Officially open the public meeting.2. Declaration of Pecuniary Interest and General Nature Thereof.3. Minutes, A01/14 and A02/14 (attached)	1
<p><u>APPLICATION A03/14</u></p>	
<p>Owners/Applicant: Donald Martin</p>	
<p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 29, Concession 3, geographic Township of West Garafraxa, with a municipal address of 7319 Second Line. The subject land is approximately 38.43 ha (94.97 acres) in size and is zoned Agricultural and Natural Environment. The parcel is shown on the location map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the Minimum Distance Separation II (MDS II) requirements for the construction of a new hog finishing barn.</p>	8
<ol style="list-style-type: none">4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on April 16, 2014 as well as posted on the property.	
<ol style="list-style-type: none">5. Application for a Minor Variance.	9
<ol style="list-style-type: none">6. Township Planner – Linda Redmond will review the County comments (attached).	19

AGENDA ITEM	PAGE NO.
<p>7. Correspondence/Comments received:</p> <ul style="list-style-type: none">- None <p>8. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p>Those wishing to be notified of decision please leave name and address with secretary-treasurer.</p> <p>Committee:</p> <ul style="list-style-type: none">- Comments and questions <p>9. Adjournment.</p>	

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

The Committee of Adjustment met on Monday, March 10, 2014 at the Kenilworth Municipal Office, at 7:00 p.m.

Members Present:

Chairman: Raymond Tout
Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Also Present:

Secretary-Treasurer, Catherine More
C.A.O./Clerk, Michael Givens
Executive Assistant, Cathy Conrad
Junior Planner, Jameson Pickard

1. The Chairman called the meeting to order.
2. Disclosure of Pecuniary Interest and General Nature Thereof

None Reported
3. Minutes

Moved by: Lennox

Seconded by: Yake

THAT the Committee of Adjustment meeting minutes of December 2, 2013 – A7/13 be adopted as presented.

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A7/13 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Two

APPLICATION A01/14

Owners/Applicant: Mervin and Rita Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as South Part Lot 18, Concession 8, geographic Arthur Township with a civic address of 7296 Sideroad 7 West. The subject land is approximately 8.08 ha (20 acre) in size and is zoned Agricultural and Natural Environment.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum permitted lot coverage for a barn structure on a 20 acre parcel in an agricultural zone. Relief from MDS requirements may also be considered. The applicants are proposing to construct a 3600 ft² barn. Additional relief for minimum setback requirements may also be considered.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on February 24, 2014 as well as posted on the property.
5. Jameson Pickard, Junior Planner, reviewed his comments dated March 4, 2014.

The applicant is proposing to construct a new barn to house 240 goats. The existing 1000 ft² barn is to be removed. The relief requested is from the maximum lot coverage requirements under the hobby barn provisions of the by-law. Staff feels that the structure proposed would not constitute a hobby barn, but rather a livestock facility which should comply with the siting requirements outlined in section 8.2 of the By-law.

The variance should provide relief to allow for the construction of a livestock facility on a lot that is 8.08 ha (20 ac) in size, whereas the by-law requires a lot be 10 ha (25 ac) in size before livestock facilities are permitted. It was noted that the sketch did not include any setback dimensions from the lots lines to the proposed new barn. The Planning Department requested that the barn maintain a minimum interior and rear yard setback of 18.3 m (60 ft.) so as to comply with the zoning requirements specified in the By-law. It was further requested that the barn have a minimum front yard setback of 25 m (82 ft.) to comply with the MDS 2 siting requirements for a barn from a road allowance.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Three

The Planning Department was satisfied that this application would maintain 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 property is designated Prime Agricultural in 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 lands are approximately 8.08 ha (20 ac) and are zoned Agricultural (A) and Natural Environments (NE). The applicants propose to construct a new 334.5 m² (3,600 ft²) barn on the property, which will be used to house approximately 240 goats.

Section 8.2 of the zoning by-law states “lots legally existing as of the day of passing of this zoning by-law and having a lot area less than 35.0 ha (86 ac) but more than 10.1 ha (25 ac) may be allowed a permitted use including agricultural uses, buildings and structures”. The subject property is currently 20 acres and would not be permitted to have a livestock facility. As such, the following relief would be required:

- 1) That a lot 8.08 ha (20 ac) in size be permitted to have a livestock facility with a floor area of 3,600 ft², whereas the by-law requires a minimum lot area of 10 ha (25 ac) before Agricultural buildings can be permitted

The sketch provided with the application did not indicate any setback dimensions from the proposed barn to any of the lot lines. Section 8.2 lays out the siting requirements for new agricultural buildings and requires a minimum interior and rear yard setback of 18.3 m (60 ft.). We request that the new structure maintain a minimum interior and rear yard setback of 18.3 m (60 ft.) to avoid further relief from the by-law.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Four

Further, when a new livestock facility is being proposed MDS 2 calculations are done which generate additional setback requirements for the structure. Calculations were completed and a minimum setback for the barn from a road allowance was determined to be 25 m (82 ft.). We request that the structure be set back a minimum of 25 m (82 ft) from the Sideroad 7 road allowance so as to conform to the required MDS 2 setbacks and avoid further relief from the by-law.

Relief is for barn to be constructed on 20 acre lot. Not typically permitted unless 25 acres or more.

6. Correspondence/Comments received:

- None.

7. Questions/Comments

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

The Applicant was present to answer any questions.

Isaac Martin, 7293 Sideroad 7 West, lives across road from the applicant and was in support of the application.

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

- None

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

Committee – Comments and Questions

- None

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Five

Moved by: Yake

Seconded by: Lennox

THAT the minor variance applied for in Application A01/14 be authorized with condition that the barn maintain a minimum interior and rear yard setback of 18.3 m (60 ft) so as to comply with the zoning requirements specified in the By-law;

AND FURTHER THAT the barn have a minimum front yard setback of 25m (82 ft.) to comply with the MDS 2 siting requirements for a barn from a road allowance.

Resolution No. 2

Carried

APPLICATION A02/14

Owners/Applicant: Terrence and Terry Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as Plan Mount Forest, Part Pk Lot 9, S/S Waterloo St. RP 61-11941 Parts 1 to 4. The subject land is approximately 1166.3 sq.m (12,554 sq.ft) in size and is zoned R2 Residential Zone.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the minimum side yards and rear yard setback requirements. The minor variance is being sought to maximize the potential use of the proposed street townhouse residential development. Additional relief for minimum setback requirements may also be considered.

8. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on February 24, 2014 as well as posted on the property.

9. Jameson Pickard, Junior Planner, reviewed his comments dated March 4, 2014.

The variances requested would provide relief from sections 12.2.6.3, 12.2.6.4 and 12.2.6.7 of the zoning By-law to allow for a reduced exterior yard, interior yard and rear yard setbacks to accommodate a proposed street townhouse residential dwelling.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Six

The Planning Department were satisfied that this application would maintain 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 property is designated Residential in 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 currently zoned Residential (R2). The applicants are proposing to construct a 3 unit street town house residential dwelling with a total combined floor area of 4,380 ft² (407 m²). Relief for the interior yard setbacks, exterior yard setbacks and rear yard setbacks will be required. As such, the following relief would be required:

- 1) That a minimum interior side yard setback of 1.75 m (5.9 ft) be permitted, whereas the by-law requires a setback of 3.0 m (9.8 ft); and,
- 2) That a minimum exterior side yard setback of 6.0 m (20 ft.) be permitted, whereas the by-law requires a setback of 7.6 m (24.9 ft.); and,
- 3) That a minimum rear yard setback of 6.27 m (20.5 ft.) be permitted, whereas the by-law requires a setback of 7.6 m (24.9 ft.).

10. Correspondence/Comments received:

- Candice Hamm, Environmental Planning Coordinator, SVCA
 - The proposal is acceptable to the SVCA.

11. Questions/Comments

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

The applicants were present to answer any questions. They believe the units will fit nicely on property. The townhouses will be single storey on a slab with in-floor heating. Cladding will be stone and brick and each unit will have a garage.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A01/14 and A02/14

Page Seven

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

Cheryl Rynsoever, 510 Cork Street, asked what kind of townhouses will these be? Will they be for low income housing?

Mrs. Martin explained that the proposal is for a triplex. Units will be 1,460 sq. ft. This housing will be for seniors and is similar to townhouses built by Peter Schlegel. They will be rented for approximately \$1,400/month.

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

Committee – Comments and Questions

Councillor Yake commented that the townhouses will be a nice addition to the corner and that the Martin's build a good product.

Moved by: Lennox

Seconded by: Yake

THAT the minor variance applied for in Application A02/14 be authorized.

Resolution No. 3

Carried

12. Adjournment

Moved by: Yake

Seconded by: Lennox

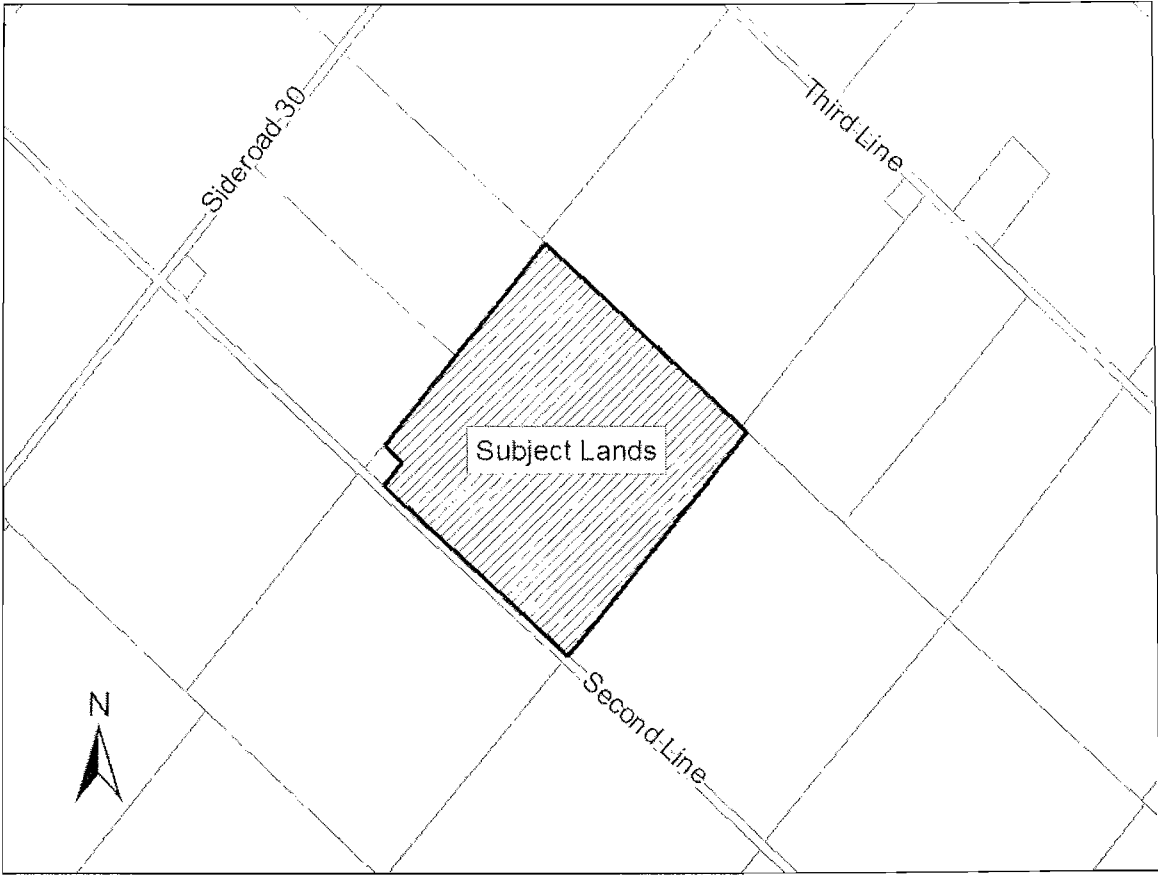
That the Committee of Adjustment meeting of March 10, 2014 be adjourned at 7:31 p.m.

Resolution No. 4

Carried

Secretary Treasurer

Chairman



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

APPLICATION FOR A MINOR VARIANCE

Date Received: March 31, 2014

Roll No.: 23 49-000.018-07700-2000

File Number: A 03/14

Application Fee Received: \$ 750.00

A. GENERAL INFORMATION

1. *APPLICANT INFORMATION

- a. *Registered Owner's Name(s): DON MARTIN
Address: 7319 2nd Line West Garafraxa Arthur ON. N0G1A0
Phone: Home (519) 848-5160 Work () _____ Fax (519) 848-2719
Email: Kimmartin4@hotmail.com
- b. *Applicant (Agent) Name(s): Don + Kim MARTIN
Address: 7319 2nd Line West Garafraxa Arthur ON. N0G1A0
Phone: Home (519) 848-5160 Work () _____ Fax (519) 848-2719
Email: Kimmartin4@hotmail.com
- c. *Name, Address, Phone No. of all persons having any mortgage charge or encumbrance on the property:
- i. FCC - P.O. Box 4320 Regina, SK S4P 4L3 1-888-332-3301
- ii. _____
- iii. _____
- d. Send Correspondence To: Owner Agent [] Other []

2. *PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY

- a. Measurements are in: Metric Imperial [] units
- b. Municipal Address: 7319 2nd Line West Garafraxa, Arthur Ontario
- c. Concession: 3 Lot: 29 Registered Plan No.: _____
- d. Area: 384,339.09m² Depth: 635.804m Frontage (Width): 551.317m
- e. Width of Road Allowance (if known): 66

3. *WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway [] Continually maintained municipal road Right-of-way []
County Road [] Seasonally maintained municipal road [] Water access []

4. *IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD.

(This information should be illustrated on the required drawing under item E of this application.)

5. *WHAT IS THE CURRENT OFFICIAL PLAN AND ZONING STATUS?

a. Official Plan Designation: Prime Agricultural

b. Zoning: Agricultural

B. EXSTING AND PROPOSED SERVICES

6. *INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

	Municipal Sewers	Communal Sewers	Private Septic	Municipal Water	Communal Well	Private Well
a. *Existing	[]	[]	[X]	[]	[]	[X]
b. Proposed	[]	[]	[]	[]	[]	[]

7. IS STORM DRAINAGE PROVIDED BY:

a. Storm Sewers [] Ditches [X] Swales [] Other means (explain below) []

8. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

2nd Line West Garafraxa

C. REASON FOR APPLICATION

9. *WHAT IS THE NATURE AND THE EXTENT OF THE RELIEF THAT IS BEING APPLIED FOR?

(Please specifically indicate on sketch)

We are requesting to build a new Hog Finishing barn to replace hog finishing barns that are being decommissioned, with a reduced front yard setback.

10. *WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW?

(Please specifically indicate on sketch)

The provisions of the by-law would situate the barn too far off the road and would interfere with the existing tile drainage.

D. EXISTING SUBJECT AND ABUTTING PROPERTY LAND USES, BUILDINGS & THEIR LOCATIONS

11. *WHAT IS THE "EXISTING" USE OF:

- a. The subject property: Agricultural: Hog finishing + cash crop
b. The abutting properties: Agricultural + Residential

12. *PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS ON OR PROPOSED FOR THE SUBJECT LAND:

(Please use a separate page if necessary.)

Table with 2 main columns: Existing, Proposed. Rows include: Type of building(s) or structure(s), Date of construction, Building height (m/ft), Number of storey's (excluding basement), Total floor area (sq m/sq ft), Ground floor area (sq m/sq ft), Percent lot coverage (%), Number of parking spaces, Number of loading spaces.



13. ***WHAT IS THE LOCATION OF ALL BUILDINGS EXISTING AND PROPOSED FOR THE SUBJECT PROPERTY?**

(Please specifically indicate on sketch)

	Existing		Proposed	
a. Distance from building to the:				
i. Front lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
ii. Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
iii. Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
iv. Rear lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)

14. ***DATE OF ACQUISITION OF SUBJECT PROPERTY:**

_____ June 1998 _____

15. **DATE OF CONSTRUCTION OF ALL BUILDINGS ON SUBJECT PROPERTY:** Barn #2 - 1972

Original House - 1900 / Addition to House - 1987 / Barn #1 - 1988 / Sm. Shed - 1979 / Manure Tank 1979

16. **HOW LONG HAVE THE EXISTING USES CONTINUED ON THE SUBJECT PROPERTY?**

_____ From construction date to present. _____

17. ***HAS THE OWNER PREVIOUSLY APPLIED FOR RELIEF IN RESPECT OF THE SUBJECT PROPERTY?**

YES NO

IF THE ANSWER IS YES, PLEASE INDICATE THE FILE NUMBER AND DESCRIBE BRIEFLY:

E. APPLICATION DRAWING

18. ***PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY MOORE APPROPRIATE TO SUBMIT ADDITONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:**

- a. Owners' / applicant's name;
- b. Legal description of property;
- c. Boundaries and dimensions of the subject property and its current land use;

- d. Dimensions of area of amendment (if not , the entire property);
- e. The size and use of all abutting land;
- f. All existing and proposed parking and loading areas, driveways and lanes;
- g. The nature of any easements or restrictive covenants on the property;
- h. The location of any municipal drains or award drains;
- i. Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- j. The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- k. The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- l. If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- m. Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits); and
- n. The drawing should also include the scale, north arrow and date when the drawing was prepared.

F. OTHER RELATED PLANNING APPLICATIONS

19. *HAS THE APPLICANT/ OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING ON THE SUBJECT LAND?

- | | | | | |
|----------------------------|-----|-----|----|-----|
| a. Official Plan Amendment | Yes | [] | No | [X] |
| b. Zoning By-law Amendment | Yes | [] | No | [X] |
| c. Plan of Subdivision | Yes | [] | No | [X] |
| d. Consent (Severance) | Yes | [] | No | [X] |

20. *IF THE ANSWER TO QUESTION 18 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

- a. File No. of Application: _____
- b. Purpose of Application: _____
- c. Status of Application: _____

G. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:

(If affidavit (H) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below **must** be completed)

I (we) _____ of the _____ of _____,
County/Region of _____ do hereby authorize _____ to
Act as my agent in this application.

Signature of Owner(s) Date

H. *AFFIDAVIT:

(This affidavit be signed in the presence of a Commissioner)

I (we) Don Martin of the Township of Wellington North,

County/Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**.

DECLARED before me at the Township of Wellington North, County/Region
of Wellington this 31 day of March, 2014.

[Signature]
Signature of Owner or Authorized Solicitor or Authorized Agent

Mar 31 / 14
Date

[Signature]
Signature of Commissioner

Mar. 31 / 14
Date

APPLICATION AND FEE OF \$ 750.00 RECEIVED BY MUNICIPALITY

[Signature]
Signature of Municipal Employee

March 31, 2014
Date

Application for a Minor Variance – Don and Kim Martin

7319 2nd Line West Garafraxa, Arthur, ON – 2014

12. Provide the following details for all buildings on or proposed for the subject land:

Barn #1	<i>Existing</i>	<i>Proposed</i>	Barn #2	<i>Existing</i>	<i>Proposed</i>
Type of Building	Post&Beam	N/A	Type of Building	Post&Beam	Cement/Frame/Truss
Date of Construction	1978		Date of Construction	1972	Fall 2014?
Building Height	15'		Building Height	25'	20'
Number of Storey's (excluding basements)	1		Number of Storey's (excluding basements)	1	1
Total Floor Area	7,759sqft.		Total Floor Area	8721sqft.	50'x204' (10,200sqft.)
Ground Floor Area	7,759sqft.		Ground Floor Area	8721sqft.	10,200sqft.
Percent lot coverage			Percent lot coverage		
Number of Parking Spaces			Number of Parking Spaces		
Number of Loading Spaces			Number of Loading Spaces		

House	<i>Existing</i>	<i>Proposed</i>	Small Shed	<i>Existing</i>	<i>Proposed</i>
Type of Building	Residential – brick/siding	N/A	Type of Building	Frame/truss	N/A
Date of Construction	1900/1987		Date of Construction	1981	
Building Height	24'		Building Height	11'	
Number of Storey's (excluding basements)	2		Number of Storey's (excluding basements)	1	
Total Floor Area	85'x35' (2,975sqft.)		Total Floor Area	12'x12' (144sqft.)	
Ground Floor Area	2,975sqft.		Ground Floor Area	144sqft.	
Percent lot coverage			Percent lot coverage		
Number of Parking Spaces			Number of Parking Spaces		
Number of Loading Spaces			Number of Loading Spaces		

Application for a Minor Variance – Don and Kim Martin

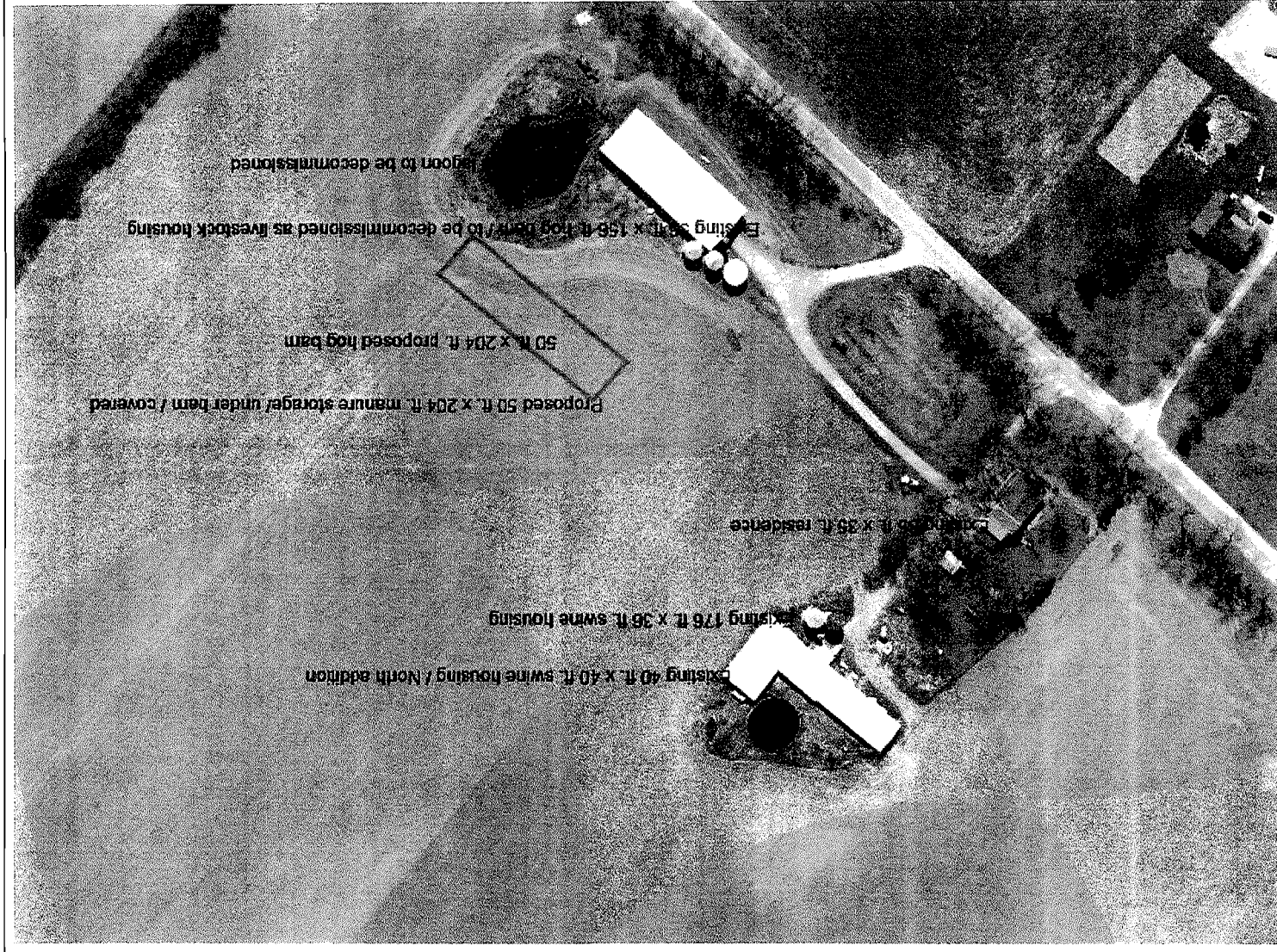
7319 2nd Line West Garafraxa, Arthur, ON – 2014

13. Subject Property – Distance from the building to the:

	Existing	Proposed
Front Lot Line	(m) 102 (ft)	(m) 298 (ft)
Side Lot Line (North)	(m) 1,392* (ft)	(m) 1,372 (ft)
Side Lot Line (South)	(m) 308* (ft)	(m) 328 (ft)
Rear Lot Line	(m) 1,940 (ft)	(m) 1,750 (ft)

*approximate

Building site / Don Martin



Scale: 1:1972

0.1 Kilometers



Map created: March 27, 2014

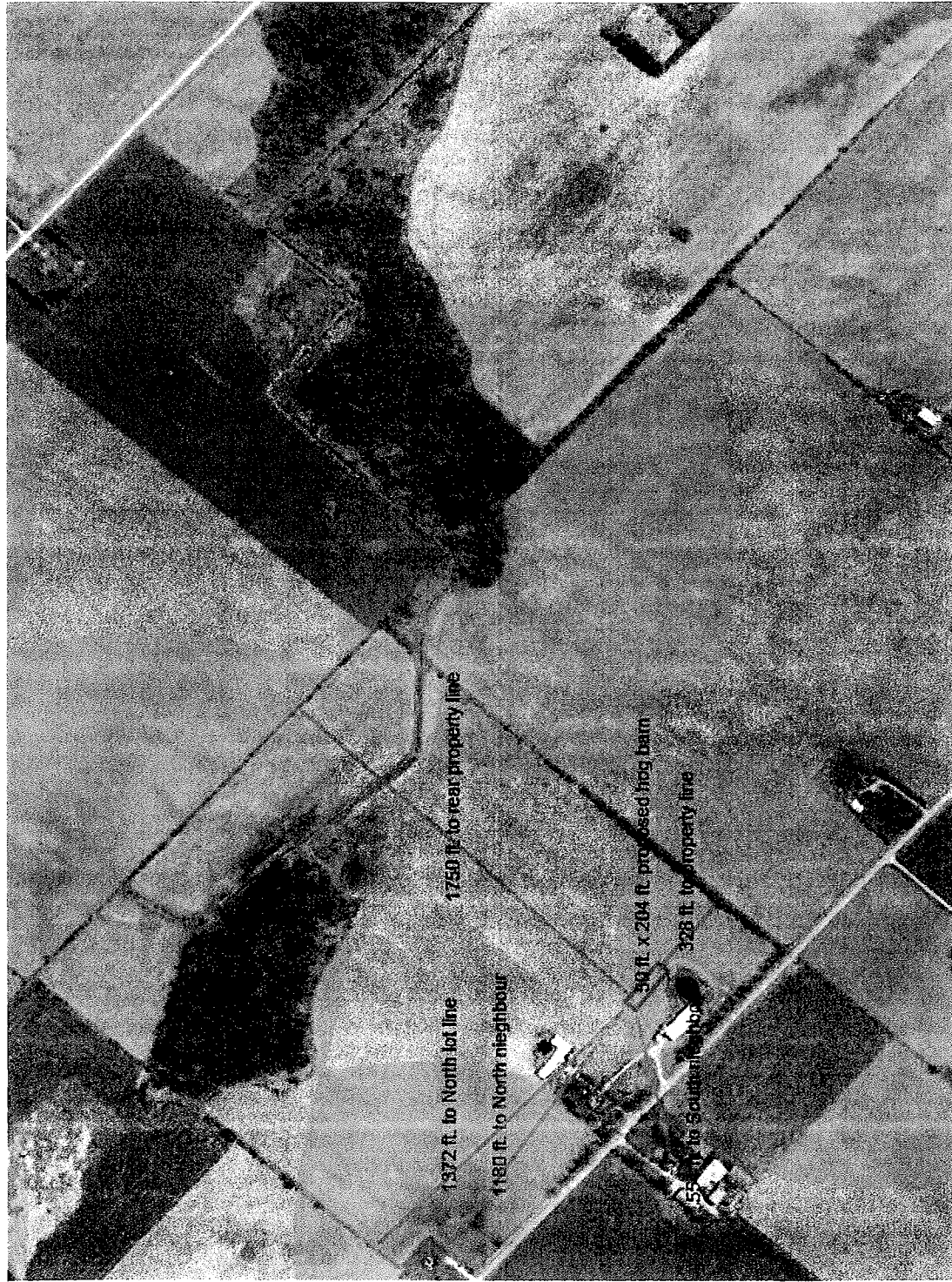
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Legend

- Assessment Parcel
- Parcel Assessed in the
- Farm Tax Rate
- Live Data
- Administrative
- Conservation Authority
- County/Township
- City/Town/Village/Region
- Municipality
- Lower or Single Tier Municipality
- Upper Tier or District Municipality
- Scale - CU
- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7
- Organic Soil
- Increased
- Water
- Very Wetlands
- Wetlands
- Agricultural Use Designation -
- Class 1
- Class 2
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This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Agriculture and Food (OMAF) and Ministry of Rural Affairs (MRA) shall not be liable in any way for the use or any information on this map. Of, or reliance upon, this map.

MDS measurements



Legend

Parcels	Assessed Parcel	Drain Classification -	Class 1
	Parcel Access at the Farm (A, B, C, D, E, F)	DFO Class Authorization Type	Class 2
Live Data		Class 3	Class 4
Administrative	Concomitant Authority	Class 5	Class 6
	Geographic Boundary	Class 7	Class 8
	Urban Public Water Region	Class 9	Class 10
	Municipality	Class 11	Class 12
	Lower or Higher Tier Municipality	Class 13	Class 14
	Upper Tier or District Municipality	Class 15	Class 16
Environment/Use		Class 17	Class 18
	Great-Collection	Class 19	Class 20
	Power Lines	Class 21	Class 22
	ATIS	Class 23	Class 24
	RTIS-50K Chd	Class 25	Class 26
	QM 1:20 Street Jctcd	Class 27	Class 28
	Obsolete Intersect	Class 29	Class 30
	Secondary Waterlines	Class 31	Class 32
	Sick - Cholera	Class 33	Class 34
	Trench Vegetation	Class 35	Class 36
Agricultural Use Overlay -		Class 37	Class 38
System Type	Random	Class 39	Class 40
	Systemic	Class 41	Class 42
Bornhoe Use	Dowling	Class 43	Class 44
	Construction or Geological	Class 45	Class 46
	Construction (Borough)	Class 47	Class 48
	Construction or Interlocking	Class 49	Class 50
	Unimproved or 2/1 to Use	Class 51	Class 52
	Water Supply	Class 53	Class 54
Consolidated Drain Type	Open or Unimproved	Class 55	Class 56
	Open or Unimproved	Class 57	Class 58
Consolidated Drainage Class	E1	Class 59	Class 60
	E2	Class 61	Class 62
	E3	Class 63	Class 64
	E4	Class 65	Class 66
	E5	Class 67	Class 68
	E6	Class 69	Class 70
	E7	Class 71	Class 72
	E8	Class 73	Class 74
	E9	Class 75	Class 76
	E10	Class 77	Class 78
	E11	Class 79	Class 80
	E12	Class 81	Class 82
	E13	Class 83	Class 84
	E14	Class 85	Class 86
	E15	Class 87	Class 88
	E16	Class 89	Class 90
	E17	Class 91	Class 92
	E18	Class 93	Class 94
	E19	Class 95	Class 96
	E20	Class 97	Class 98
	E21	Class 99	Class 100

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0.4 Kilometers

Scale: 1:7888

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Map created: March 27, 2014



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

April 24th, 2014

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 A03/14**
Part lot 29, Concession 3
7319 2nd line
Don Martin

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

Planning Opinion: The variance is being requested from Section 6.17.2 (Minimum Distance Separation II calculations) of the Wellington North By-law in order to construct a new hog finishing barn within 168 m (554 ft.) of a neighbour's dwelling, whereas 275 m (901 ft.) is required.

The applicant is proposing to construct a new hog finishing barn on the property and decommissioning the existing hog finishing barn and using it for storage purposes. The construction of the new barn will allow for this operation to be further setback from the impacted neighbour's dwelling than is currently afforded with the use of the existing barn. Although MDS II is still deficient to the neighbour's dwelling it presents an opportunity to make the existing deficiency considerably less.

While we are generally supportive of the relief requested at this time the Committee should be satisfied that there are no other reasonable locations on the property that could accommodate the proposed structure and allow for the MDS II setbacks to be met.

Provincial Policy Statement (PPS): The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline 46 of the MDS Implementation Guidelines states that "minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration."

Wellington County Official Plan: The subject property is designated Prime Agricultural and Core Greenlands in the 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.

Wellington North Zoning By-law: The subject property is currently zoned Agricultural (A) and Natural Environment (NE) zone. The applicants are proposing to construct a new hog finishing barn with a ground floor area of 10,200 ft² (947.6 m²). The applicant has indicated that the proposed barn location is based on a site that will not damage existing tile drainage in the field. As a result relief from the Minimum Distance Separation II (MDS II) setbacks are required to allow for the new structure to be constructed. As such, the following relief would be required:

- 1) That the setback to the nearest neighbours dwelling be 168 m (554 ft.), whereas 275 m (901 ft.) is required. The total relief requested would be 107 m (351 ft.)

Additional Information: The applicants are planning on decommissioning the existing hog finishing barn and tailings pond and using the structure for storage purposes. The existing barn which has existed on the property since 1978 is considerably closer to the impacted neighbours dwelling than the proposed new barn. Although the MDS II requirement cannot be met to the new hog finishing barn its proposed location is further away from the impacted neighbour's house and would reduce the existing MDS deficiency present on the property.

I trust that these comments will be of assistance to the Committee in their consideration of this matter.

Yours truly,



Jameson Pickard, BURPL.
Junior Planner