

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, JUNE 22, 2015 – 7:00 P.M.
A01/15 AND A08/15**

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

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

**Also Present: Secretary-Treasurer/Clerk: Karren Wallace
CAO: Michael Givens
Executive Assistant: Cathy Conrad
Treasurer: Paul Dowber
Director of Public Works: Matthew Aston
Senior Planner: Linda Redmond
Fire Chief: Dave Guilbault**

THE CHAIRMAN CALLED THE MEETING TO ORDER

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

No pecuniary interest reported.

RESOLUTION NUMBER CoA 2015-023

Moved by: Councillor Goetz

Seconded by: Councillor Burke

THAT the agenda for the June 22, 2015 Committee of Adjustment meeting be accepted and passed.

CARRIED

MINUTES

RESOLUTION NUMBER CoA 2015-024

Moved by: Councillor Burke

Seconded by: Councillor Goetz

THAT the Committee of Adjustment meeting minutes of June 8, 2015 – A09/15 be adopted as presented.

CARRIED

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A01/15 AND A08/15**

The public meeting is held to consider Minor Variance Application A01/15 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

APPLICATION A01/15

Owners/Applicant: Jason Oakes

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Park Lot 4, S/S Wellington Street with a civic address of 480 Wellington Street East. The subject land is approximately 0.12 ha (0.30 acres).

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum frontage and interior side yard setback requirements of section 11.2.2 and 11.2.4 of the By-law. The property received provisional approval from the County Land Division Committee to create one residential lot subject to conditions. The variances requested will satisfy conditions related to the provisionally approved consent application.

PRESENTATION:

Linda Redmond, Senior Planner for the Township of Wellington North reviewed her comments dated June 17, 2015.

This application was at the Committee of Adjustment meeting of January 26, 2015. The application was deferred to provide the applicant an opportunity to address grading and drainage issues that were raised by the neighbours. Council asked that the applicant meet with the concerned parties to discuss their issues. The following actions were taken:

A lot drainage and grading plan was prepared by GM BluePlan Engineering, dated May 11, 2015. The plan is stamped by a qualified Engineer and Darren Jones, CBO has indicated that this plan is satisfactory for building permit purposes. The proposed grading will essentially maintain the existing grade of the retained parcel, with some minimal grade change. There are 2 catch basins provided to address water drainage. One is located to the rear of the proposed dwelling and the second is in the front. This will tie into the storm water drainage.

A meeting was scheduled for June 16, 2015 at 5:30 pm in the Council Chambers. Notice was mailed to all parties who expressed interest and signed into the public meeting. The meeting was attended by the Township Planner, CAO, the applicant and his agent. One individual from the public attended. The engineering plan was circulated, reviewed and discussed. The applicant and the neighbour discussed the project. The neighbour indicated that he did not want to see this house constructed and that this was an established neighbourhood. He indicated that he did not agree with the provincial policies related to intensification.

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As per Committee direction the informal meeting has been held and the applicant would now like to proceed with his minor variance.

CORRESPONDENCE/COMMENTS RECEIVED (January 26, 2015 meeting)

- Jameson Pickard, Junior Planner, County of Wellington, dated January 21, 2015
- Valerie Lamont, Environmental Planning Technician (Acting), SVCA, dated January 21, 2015
- Harry Engle, 470 Wellington Street East, Mount Forest, dated January 23, 2015

CORRESPONDENCE/COMMENTS RECEIVED (June 22, 2015)

- No further correspondence received

QUESTIONS/COMMENTS

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

The Applicant's Agent, Bruce Fulcher, was present to answer any questions pertaining to the application. The applicant and his Agent met with the Township Planner, CAO and one member of the public to discuss the application. The individual in attendance is opposed to the application. Mr. Fulcher was surprised at this individual's suggestion that the existing home be demolished and a duplex built. Does this suggest support of the application?

- 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.

Harry Engel, 470 Wellington St. E., stated that his suggestion regarding a duplex is in no way support of the application. Many neighbours have signed a petition stating that they are against this application. It looks like the legal requirements have been fulfilled; however, a division of land requirement should take into account the site, neighbourhood and the community as a whole. Some say a new house in an old neighbourhood increases the value of all homes. It could be argued otherwise as some people look for homes with historical significance. How will this application increase

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the esthetics of the neighbourhood? The neighbours are still opposed because it affects them in an adverse way. They do not believe it meets the intent of the Official Plan. There are other nearby lands being developed. The neighbours would like to see the neighbourhood preserved.

Caroline Wollis, 482 Wellington St. E., wanted the Committee to know that even though the neighbours could not attend the meeting Harry has the support of the whole neighbourhood in voicing opposition to 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

Councillor Burke commented that she understands the *Places to Grow Act* and all those that govern the Planning Department; however, she felt that sometimes they need to look at what is going to be developed in our own back yard. The Committee needs to look at what they are going to do in an existing neighbourhood. Councillor Burke felt that lot sizes should remain consistent. She was in support of denying the application on the principle that the proposal does not fit within the neighbourhood.

Councillor McCabe asked if the applicant and the neighbours could meet to work things out. CAO Michael Givens provided that the applicant and neighbours had met and the Committee is now at a point where a decision has to be made.

RESOLUTION NUMBER CoA 2015-025

Moved by: Councillor Goetz

Seconded by: Councillor Burke

THAT the minor variance applied for in Application A01/15 to provide relief from the minimum frontage and interior side yard setback requirements of section 11.2.2 and 11.2.4 of the By-law for the property described as part Park Lot 4, South Side Wellington Street with a civic address of 480 Wellington Street East, geographic Town of Mount Forest be denied for the following reason:

- *The proposal is not in keeping with the current neighbourhood*

CARRIED

The Applicant's Agent stated that this is not in keeping with previous planning decisions and not based on a *Planning Act* decision. He informed the Committee that his client will be filing an Ontario Municipal Board appeal and he requested notice of the Committee's decision.

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DEFERRED APPLICATION A08/15

Owners/Applicant: Bradley and Judith Reist

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot A, Concession 10, geographic Township of Arthur, with a civic address of 7011 Sideroad 3 W. The subject land is approximately 2.2 ha (5.5 acres).

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the maximum floor area of section 6.14 d) and setback requirements of section 6.14 g) for a proposed home industry structure. The maximum floor area of a home industry structure shall not exceed 185 m² (2,000 ft²) and shall not be located within 22.8 m (74.8ft) of a lot line or within 121.9 m (400ft) of a residence on a separate lot. The applicant is requesting permission to construct a building with a total floor area of 222.9 m² (2400 ft²) for a farm repair home industry. Other variances may be considered where deemed appropriate.

Report from Darren Jones, Chief Building Official

- CBO 15-09 Being a report on the withdrawal of Minor Variance Application A08/15 for Lot A, Concession 10, 7011 Sideroad 3 West (Reist)

RESOLUTION NUMBER CoA 2015-026

Moved by: Councillor McCabe

Seconded by: Councillor Yake

THAT the Committee of Adjustment of the Township of Wellington North receive report CBO 15-09 being a report on the withdrawal of Minor Variance Application A08/15 for Lot A, Concessions 10, 7011 Sideroad 3 West (Reist) for information.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2015-027

Moved by: Councillor Yake

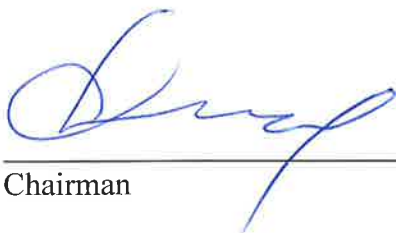
Seconded by: Councillor McCabe

THAT the Committee of Adjustment meeting of June 22, 2015 be adjourned at 7:18 p.m.

CARRIED



Secretary Treasurer



Chairman