

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A07/14

The Committee of Adjustment met on Monday, August 11, 2014 at the Kenilworth Municipal Office, at 7:00 p.m.

<u>Members Present:</u>	Chairman: Raymond Tout Sherry Burke Mark Goetz Andy Lennox Dan Yake
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<u>Also Present:</u>	Secretary-Treasurer, Catherine More C.A.O./Clerk, Michael Givens Executive Assistant, Cathy Conrad Chief Building Official, Darren Jones Township Planner, Mark Van Patter Business Economic Manager, Dale Small Treasurer, Paul Dowber Acting Fire Chief, Dave Guilbault
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1. The Chairman called the meeting to order.

2. Disclosure of Pecuniary Interest and General Nature Thereof

None Reported

3. Minutes

Moved by: Goetz
Seconded by: Burke

THAT the Committee of Adjustment meeting minutes of June 9, 2014 – A04/14, A05/14 and A06/14 be adopted as presented.

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A07/14 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

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APPLICATION A07/14

Owners/Applicant: Paul and Krista Doupe

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 9, Concession 6, geographic Arthur Township with a civic address of 7492 Sideroad 5 E. The subject land is approximately 6.43 ha (15.91 acres).

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.20.1 a), which restricts development within a 30m (98.4ft) setback of a Natural Environment zone. The applicant has requested the minor variance in order to allow for construction of a dwelling and associated weeping bed.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on July 29, 2014 as well as posted on the property.
5. Mark Van Patter, Township Planner, reviewed comments provided by Jameson Pickard, dated August 6, 2014.

The variance requested would provide relief from section 6.20.1 of the zoning by-law to allow for a reduced setback from the Natural Environment zone to permit the construction of a weeping bed system.

The Planning Department have no concerns with the relief requested. The Committee should be satisfied that any impacts on the natural features present or issues arising from the watercourse, NE zone can be addressed. If approved, the Committee may wish to require a detailed site plan or tree saving plan be prepared to ensure that any unnecessary tree removal is avoided on the site during construction.

The subject property is designated Prime Agricultural and Core Greenlands in the Wellington County Official Plan. The Greenland designation represents Hazardlands. 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.

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Under the Wellington North Zoning By-law the subject property is currently zoned Agricultural (A) and Natural Environment (NE) zone. The applicants are proposing to install a new weeping bed within the NE zone setback. The application did not indicate the amount of relief needed from the NE zone boundary, but in talks with the Township CBO it appears that proposed weeping bed will be constructed approximately 10 m (32.8 ft) away from the NE zone limit. As such, the following relief would be required:

- 1) That a minimum setback of 10 m (32.8 ft.) be permitted to the Natural Environment Zone, whereas the by-law requires a setback of 30 m (98.4 ft.). The total relief requested would be 20 m (65.6 ft.)

The subject property appears to be completely wooded, with significant portions falling within the Natural Environment (NE) zone, the proposed area of construction is outside of the this area. The NE zone present is associated with a stream which runs through a portion of the property. The comments of the Saugeen Valley Conservation Authority should be considered. The Committee should be satisfied that any impacts on the natural features present or issues arising from the watercourse, NE zone are addressed. If approved, the Committee may wish to require a detailed site plan or tree saving plan be provided to ensure that unnecessary tree removal is limited on the site during construction.

Saugeen Conservation recommends deferral of this proposed Minor Variance as they require further information from the applicant regarding the proposed development on this property.

6. Correspondence/Comments received:

Valerie Lamont, Environmental Planning Technician (Acting), SVCA
- Requesting deferral (August 7, 2014)

7. Questions/Comments

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

The Applicant was not present.

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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

Moved by: Goetz
Seconded by: Burke

THAT the minor variance applied for in Application A07/14 be deferred.

Resolution No. 2

Carried

8. Adjournment

Moved by: Burke
Seconded by: Goetz

THAT the Committee of Adjustment meeting of August 11, 2014 be adjourned at 7:04 p.m.

Resolution No. 3

Carried

Secretary Treasurer

Chairman