



7490 Sideroad 7 W, PO Box 125,  
Kenilworth, ON N0G 2E0

[www.wellington-north.com](http://www.wellington-north.com)

519.848.3620

1.866.848.3620 FAX 519.848.3228

Plan to  
Simply Explore.  
[www.simplyexplore.ca](http://www.simplyexplore.ca)

## Committee of Adjustment

Monday, August 15, 2016

7:00 p.m.

Municipal Office Council Chambers, Kenilworth

### A G E N D A

AGENDA ITEM	PAGE NO.
<b><u>CALLING TO ORDER</u></b>  - Chairman Lennox	
<b><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></b>	
<b><u>MINUTES OF PREVIOUS MEETING(S)</u></b>  Committee of Adjustment, June 20, 2016 (A05-16)	1
<b><u>APPLICATION A06-16</u></b>	
<b><u>OWNERS/APPLICANT</u></b>  - Rebecca and Hugh Broadfoot	
<b><u>LOCATION OF THE SUBJECT LAND</u></b>  The location of the subject property is described as Part Lot 13, Concession 11, geographic Arthur Township, with a civic address of 9150 Concession 11. The subject land is approximately 1.09 ha (2.7 acres). The location of the property is shown on the map attached.	4

AGENDA ITEM	PAGE NO.
<b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b>	
<p>The purpose and effect of the application is to provide relief from the maximum floor area for two existing accessory structures on the subject land. The permitted maximum floor area shall not exceed 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>), whereas the applicant is requesting permission to permit the existing structures totaling 141 m<sup>2</sup> (1521 ft<sup>2</sup>) to remain on the severed residential portion of property. This variance is a condition of severance application B11/16, that was granted provisional approval by the Wellington County Land Division Committee.</p>	
<b><u>SECRETARY TREASURER</u></b>	
<p>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 August 2nd, 2016.</p>	
<b><u>PRESENTATIONS</u></b>	
<p>Elizabeth Martelluzzi, Junior Planner - See attached comments</p>	5
<b><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></b>	
<p>Erica C Ogden, Planning &amp; Regulations Assistant - No concerns with proposed variance.</p>	7
<b><u>REQUEST FOR NOTICE OF DECISION</u></b>	
<p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	
<b><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></b>	
<p>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>	
<b><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></b>	

AGENDA ITEM	PAGE NO.
<p><b><u>APPLICATION A07-16</u></b></p> <p><b><u>OWNERS/APPLICANT</u></b></p> <ul style="list-style-type: none"><li>- Angela Jones and Paul Walker</li></ul> <p><b><u>LOCATION OF THE SUBJECT LAND</u></b></p> <p>The location of the subject property is described as Lots 29 &amp; 30, Concession 6, geographic West Garafraxa, with a civic address of 8519 Wellington Rd 109. The subject land is approximately 4.08 ha (10.10 acres). The location of the property is shown on the map attached.</p> <p><b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b></p> <p>The purpose and effect of the application is to provide relief from the maximum floor area for a proposed accessory structure. The maximum floor area of accessory structures on the subject land shall not exceed 176.5 m<sup>2</sup> (1900 ft<sup>2</sup>). The applicant is requesting permission to construct a 297 m<sup>2</sup> (3200 ft<sup>2</sup>) accessory structure for personal storage use.</p> <p><b><u>SECRETARY TREASURER</u></b></p> <p>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 August 2nd, 2016.</p> <p><b><u>PRESENTATIONS</u></b></p> <p>Elizabeth Martelluzzi, Junior Planner</p> <ul style="list-style-type: none"><li>- See attached comments</li></ul>	8
<p><b><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></b></p> <p>None.</p> <p><b><u>REQUEST FOR NOTICE OF DECISION</u></b></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	9

**Committee of Adjustment**

**August 15, 2016**

**Page 4 of 4**

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p><b><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></b></p> <p>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><b><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></b></p> <p><b><u>ADJOURNMENT</u></b></p>	

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, JUNE 20, 2016 – 7:00 P.M.  
A05/16**

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  
Treasurer: Kimberly Henderson  
Deputy Treasurer: Mary Jo Marshall

**Absent:** Senior Planner: Linda Redmond

**THE CHAIRMAN CALLED THE MEETING TO ORDER**

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

No pecuniary interest reported.

**RESOLUTION NUMBER CoA 2016-14**

Moved by: Member Burke

Seconded by: Member McCabe

*THAT the agenda for the June 20, 2015 Committee of Adjustment meeting be accepted and passed.*

**CARRIED**

**MINUTES OF PREVIOUS MEETING(S)**

**RESOLUTION NUMBER CoA 2016-15**

Moved by: Member McCabe

Seconded by: Member Burke

*THAT the Committee of Adjustment meeting minutes of June 6, 2016 – A04/16 be adopted as presented.*

**CARRIED**

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, JUNE 20, 2016 – 7:00 P.M.  
A05/16**

**APPLICATION A05/16**

**Owners/Applicant: Lynda and Mark Gibson**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Part Lot 1, Concession 14 (West Luther), with a civic address of 25 Oak Street (Conn). The subject land is approximately 0.8 ha (2 acres).

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the maximum floor area and height for a proposed accessory structure. The maximum floor area of accessory structures on the subject land shall not exceed 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>) and the height shall not exceed 4.5 m (14.8 ft). The applicant is requesting permission to construct a 111 m<sup>2</sup> (1200 ft<sup>2</sup>) detached garage with a height of 5.18 m (17 ft.) for personal storage use.

**NOTICE OF THIS MEETING** was mailed to property owners within 60 m of the subject property and applicable agencies on June 10, 2016, as well as posted on the property, pursuant to the notice provisions under the Planning Act.

**PRESENTATION**

No presentations

**CORRESPONDENCE/COMMENTS RECEIVED**

Elizabeth Martelluzzi, Junior Planner

- No concerns with the relief being requested at this time.

Michael Oberle, Saugeen Valley Conservation Authority

- No concerns

**REQUEST FOR NOTICE OF DECISION**

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

**CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

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

Steve O'Donnell was present to express support for the minor variance.

**TOWNSHIP OF WELLINGTON NORTH  
COMMITTEE OF ADJUSTMENT  
MONDAY, JUNE 20, 2016 – 7:00 P.M.  
A05/16**

- Persons present to make oral and/or written submissions against the proposed minor variance.

No one was present to make oral and/or written submissions against the proposed minor variance

**COMMENTS/QUESTIONS FROM THE COMMITTEE**

Councillor McCabe commented that there is little difference between the floor area and height allowed and the area and height being requested.

**RESOLUTION NUMBER CoA 2016-16**

Moved by: Member Burke

Seconded by: Member McCabe

*THAT the minor variance applied for in Application A05/16 to provide relief from the maximum floor area and height for a proposed accessory structure as the maximum floor area of accessory structures on the subject land shall not exceed 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>) and height shall not exceed 4.5 m<sup>2</sup> (14.8 ft.) permission is being requested to construct an 111 m<sup>2</sup> (1200 ft<sup>2</sup>) detached garage with a height of 5.18 m (17 ft.) for personal storage use be authorized.*

**CARRIED**

**ADJOURNMENT**

**RESOLUTION NUMBER CoA 2016-17**

Moved by: Member McCabe

Seconded by: Member Burke

*THAT the Committee of Adjustment meeting of June 20, 2016 be adjourned at 7:05 p.m.*

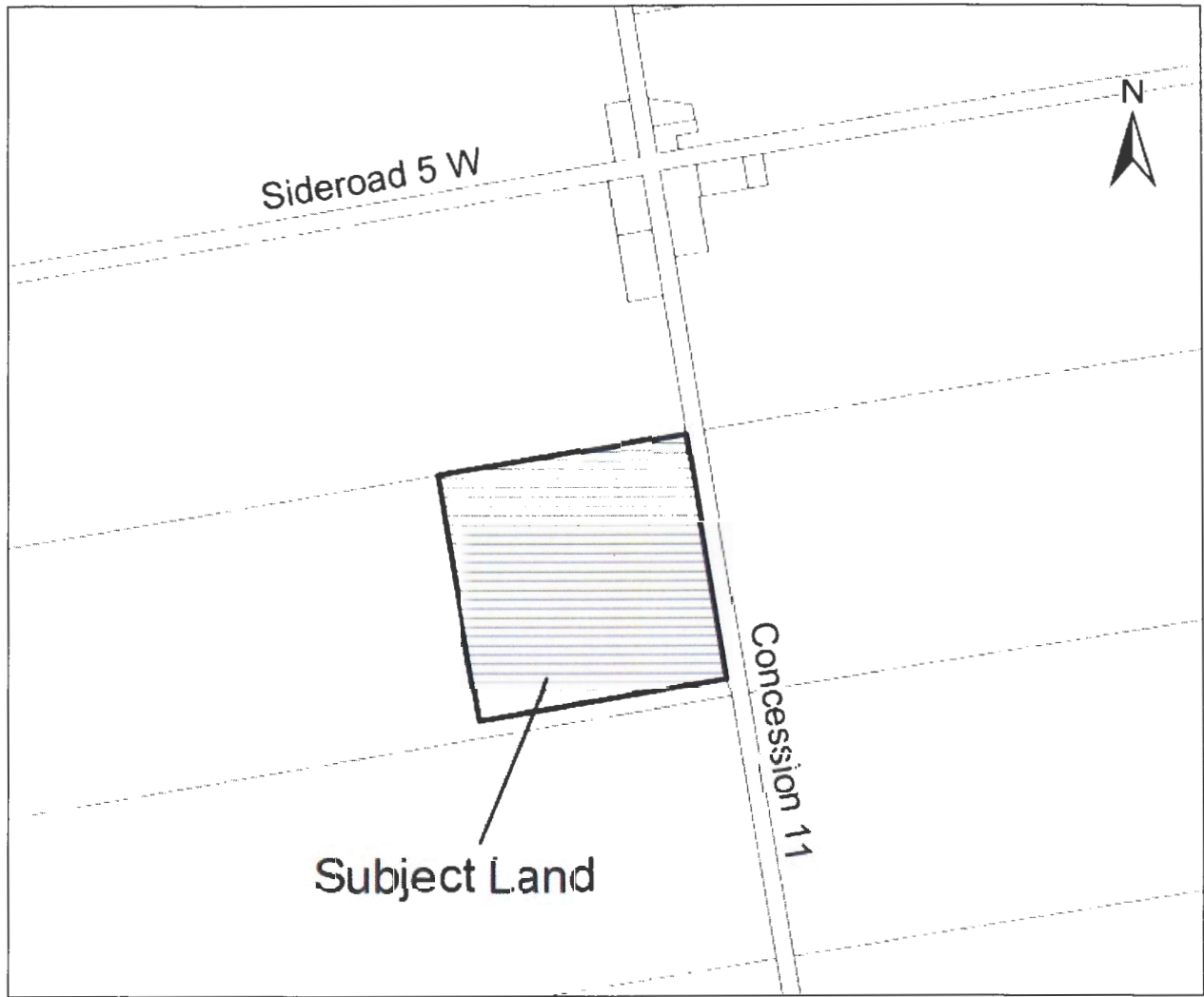
**CARRIED**

---

Secretary Treasurer

---

Chairman



**A06-16 Rebecca and Hugh Broadfoot**





## 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

August 10, 2016

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 A05/16**  
**9150 Concession 11**  
**Broadfoot**

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

**Planning Opinion:** The minor variance requested is a condition of severance application B11/16, which was granted provisional approval by the Wellington County Land Division Committee on April 14, 2016. The combined maximum floor area of accessory structures on this lot shall not exceed 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>) whereas the applicant has applied to permit 2 existing accessory structures which have a combined 141 m<sup>2</sup> (1521 ft<sup>2</sup>) in floor area. The structures are a shop, and storage for personal lawn equipment.

We have no concerns with the relief requested at this time. The structures are for personal use and remain incidental to the main use of the site, which is a single detached dwelling, and would likely not affect neighbouring properties negatively. 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 13, Concession 11, with a civic address of 9150 Concession 11, Arthur. The subject land is approximately 1.09 ha (2.7 acres) and has a single detached dwelling and two accessory buildings. Neighbouring properties include Agricultural Uses and single detached dwellings, which are not in close proximity to the buildings on the subject lot.

### **PROPOSAL**

The applicant is requesting a minor variance for existing accessory structures on the subject property, a lawn maintenance shed and a shop, both for personal use. The combined floor area of the two structures is 141 m<sup>2</sup> (1521 ft<sup>2</sup>), whereas Section 6.1.4(b) of the Zoning By-law permits a maximum lot coverage of 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>) for a lot of this size.

This application is a condition of a recent severance application B11/16, which was granted provisional approval by the Wellington County Land Division Committee. The severance was a lot line adjustment, which created a smaller residential lot and therefore the structures on the lot must come into compliance before consent can be granted.



Figure 1

#### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. Section 6.4.3 permits accessory residential uses in Prime Agricultural Areas. 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.

The current proposal maintains the intent of the Official Plan.

#### TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is currently zoned Agricultural (A) and Natural Environment (NE). Accessory buildings in the Agricultural zone are subject to general provision 6.1, Accessory Uses. The existing accessory structures require the following minor variance:

1. A combined maximum floor area of 141 m<sup>2</sup> (1521 ft<sup>2</sup>), whereas Section 6.1.4(b) of the Zoning By-law permits a maximum lot coverage of 102.1 m<sup>2</sup> (1100 ft<sup>2</sup>) for a lot of this size.

The intent of Section 6.1.4(b) is to allow a lot to have accessory buildings appropriate for the size of the lot and to ensure that accessory structures remain incidental and subordinate to the main use, and are appropriate development for the lot. Prior to the recent severance application (a lot line adjustment), the structures would have met the maximum allowable lot coverage. Due to the new reduced lot area of 1.09 Hectares, the structures require zoning relief to be considered in compliance with the Zoning By-law.

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,

Elizabeth Martelluzzi, Junior Planner

## Darren Jones

---

**From:** Erica Ogden [eogden@mvca.on.ca]  
**Sent:** Thursday, August 04, 2016 4:11 PM  
**To:** Darren Jones  
**Cc:** Brandi Walter  
**Subject:** A6/16 - Arthur Pt Lt 13, Con 11, 9150 Concession 11

Good Afternoon,

Maitland Valley Conservation Authority has reviewed the proposed minor variance A6/16 for Part Lot 13, Concession 11, 9150 Concession 11 in the Township of Wellington North and have no concerns with the proposed variance. Comments regarding the natural heritage, natural hazards and regulated lands for the subject property were submitted as a part of the severance application B11/16 in February 2016.

Should you have any questions please feel free to contact this office.

Thank you,

**Erica C Ogden**

*Planning & Regulations Assistant*

**Maitland Valley Conservation Authority**

519-335-3557, Ext. 240; Fax: 519-335-3516

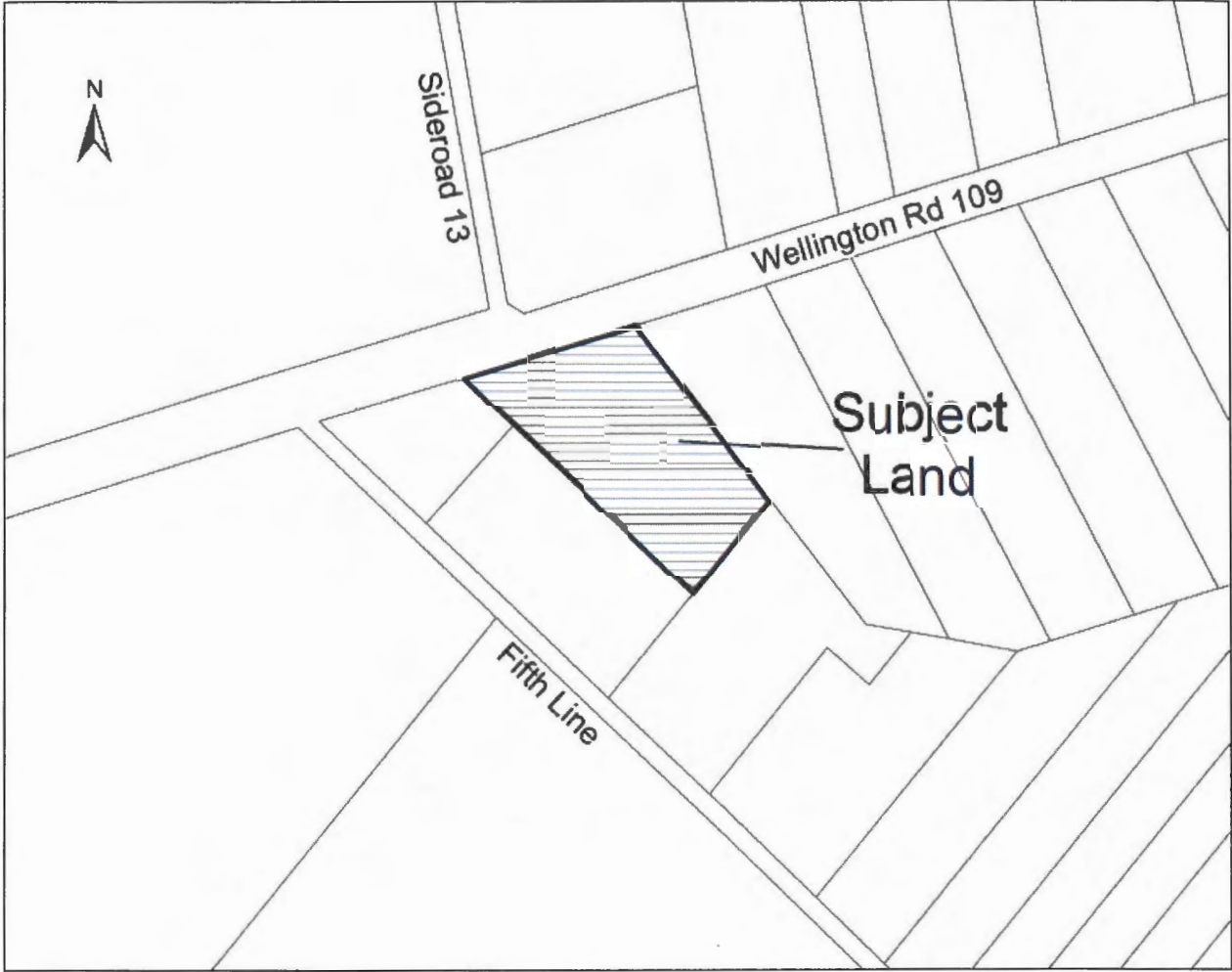
[eogden@mvca.on.ca](mailto:eogden@mvca.on.ca)

1093 Marietta Street, P.O. Box 127

Wroxeter, ON

NOG 2X0





**A07-16 Angela Jones and Paul Walker**



## 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

August 4, 2016

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 A07/16**  
**8519 Wellington Road 109**  
**Jones**

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

**Planning Opinion:** The minor variance requested is to provide relief from the maximum allowable floor area of an accessory structure. The applicant is requesting to construct a 297 m<sup>2</sup> (3200 ft<sup>2</sup>) accessory structure for personal storage use, whereas Section 6.1.4(b) of the Zoning By-law permits a maximum floor area of 176.5 m<sup>2</sup> (1900 ft<sup>2</sup>) on a lot of this size.

We have no concerns with the relief requested at this time. The structures are for personal use and remain incidental to the main use of the site, which is a single detached dwelling, and would likely not affect neighbouring properties negatively. 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 29 and 30, Concession 6, with a civic address of 8519 Wellington Road 109. The subject land is approximately 4.08 ha (10.10 acres) and has a single detached dwelling and a hobby barn. Neighbouring properties include Agricultural Uses and single detached dwellings. As per the Agricultural Zoning, the subject land is considered under the reduced lot regulations.

### **PROPOSAL**

The minor variance requested is to provide relief from the maximum allowable floor area of an accessory structure. The applicant is requesting to construct a 297 m<sup>2</sup> (3200 ft<sup>2</sup>) accessory structure for personal storage use, whereas Section of the Zoning By-law permits a maximum floor area of 176.5 m<sup>2</sup> (1900 ft<sup>2</sup>) on a lot of this size.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated PRIME AGRICULTURAL. Section 6.4.3 permits accessory residential uses in Prime Agricultural Areas. 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.

The current proposal maintains the intent of the Official Plan.

**TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW**

The subject property is currently zoned Agricultural (A). Accessory buildings in the Agricultural zone are subject to general provision 6.1, Accessory Uses. The proposed accessory structure requires the following minor variance:

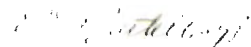
1. A maximum floor area of 297 m<sup>2</sup> (3200 ft<sup>2</sup>), whereas Section 6.1.4(b) of the Zoning By-law permits a maximum lot coverage of 176.5 m<sup>2</sup> (1900 ft<sup>2</sup>) for a lot of this size.

The intent of Section 6.1.4(b) is to allow a lot to have accessory buildings appropriate for the size of the lot and to ensure that accessory structures remain incidental and subordinate to the main use, and are appropriate development for the lot. We are of the opinion that the proposal for minor variance would meet the intent of the Zoning By-law, provided the accessory structure is for personal storage and use.

Conversation with the applicant confirmed the purpose of the large accessory structure is to accommodate antique automobile restoration as a hobby, and that no customer visits or other commercial activity is expected on the site.

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Elizabeth Martelluzzi, B.URPI  
Junior Planner