



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

www.wellington-north.com

519.848.3620

1.866.848.3620 FAX 519.848.3228

Plan to
Simply Explore.
www.simplyexplore.ca

Committee of Adjustment

Monday, September 26, 2016

7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

AGENDA ITEM	PAGE NO.
<u>CALLING TO ORDER</u>	
- Chairman Lennox	
<u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u>	
<u>MINUTES OF PREVIOUS MEETING(S)</u>	
Committee of Adjustment, September 12th, 2016 (A07-16)	01
<u>APPLICATION A08-16</u>	
<u>OWNERS/APPLICANT</u>	
- Edward O'Neill and Darlene Craig	
<u>LOCATION OF THE SUBJECT LAND</u>	
The location of the subject property is described as Part Park Lot 9, S/S Smith Street, Crown Survey with a civic address of 405 Smith Street, Arthur. The subject land has an area of 865.5 m ² (0.21 ac) and frontage of 20.2 m (66.6 ft.). The location of the property is shown on the map attached.	004

AGENDA ITEM	PAGE NO.
<p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the minimum lot area, front yard and rear yard setbacks for the construction of a single detached dwelling. This property recently received provisional approval from the County Land Division Committee to sever the existing residential lot into two. These variances are required as a condition of severance application B44/16.</p> <p><u>SECRETARY TREASURER</u></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 September 14th, 2016.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Senior Planner - See attached comments</p> <p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p> <p><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></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><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p> <p><u>ADJOURNMENT</u></p>	<p>005</p>

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, SEPTEMBER 12, 2016 – 7:00 P.M.
A07/16**

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
	CAO/Deputy Clerk:	Michael Givens
	Executive Assistant:	Cathy Conrad
	Treasurer:	Kimberly Henderson
	Director of Public Works:	Matthew Aston
	Chief Building Official:	Darren Jones
	Manager of Planning and Environment:	Mark Van Patter
	Director of Recreation, Parks & Facilities:	Barry Lavers
	Fire Chief:	David Guilbault

THE CHAIRMAN CALLED THE MEETING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

PASSING AND ACCEPTANCE OF AGENDA

RESOLUTION NUMBER CoA 2016-23

Moved by: Member Yake

Seconded by: Member Hern

THAT the agenda for the September 12, 2015 Committee of Adjustment meeting be accepted and passed.

CARRIED

MINUTES OF PREVIOUS MEETING(S)

RESOLUTION NUMBER CoA 2016-24

Moved by: Member Hern

Seconded by: Member Yake

THAT the Committee of Adjustment meeting minutes of August 14 2016 – A06/16 and A07/16 be adopted as presented.

CARRIED

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, SEPTEMBER 12, 2016 – 7:00 P.M.
A07/16**

APPLICATION A07/16

Owners/Applicant: Angela Jones and Paul Walker

The location of the subject property is described as Lots 29 & 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 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 m² (1900 ft²). The applicant is requesting permission to construct a 297 m² (3200 ft²) accessory structure for personal storage use.

NOTICE OF THIS MEETING was mailed on September 6, 2016 to the applicant and persons who signed the sign in sheet at the August 15, 2016 Committee of Adjustment Hearing or sent written correspondence.

PRESENTATION

No Presentations

CORRESPONDENCE/COMMENTS RECEIVED

Elizabeth Martelluzzi, Junior Planner

- No concerns (report presented at August 15th, 2016 Hearing)

Pasquale Costanzo, CET, Engineering Technologist, County of Wellington
Engineering Services

- No objection

Darren Jones, Chief Building Official

- CBO 2016-11

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.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, SEPTEMBER 12, 2016 – 7:00 P.M.
A07/16**

Paul Walker, owner/applicant, was present to answer any questions regarding the application. The applicant confirmed that they spoke with neighbours and explained that the proposed use of the building will be for personal use and not include commercial use. The neighbours no longer object to the application.

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

No one present to make submissions against the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Councillor McCabe confirmed with the applicant that the neighbours are okay with the application.

The Committee of Adjustment of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted the Committee to make an informed decision on this planning matter.

RESOLUTION NUMBER CoA 2016-25

Moved by: Member McCabe

Seconded by: Member Burke

THAT the minor variance applied for in Application A07/16 to provide relief from the maximum floor area for a proposed accessory structure on the subject land to permit a maximum floor area for accessory buildings of 297 m² (3200 ft²), whereas 177m² (1900 ft²) is required, be authorized.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2016-26

Moved by: Member Yake

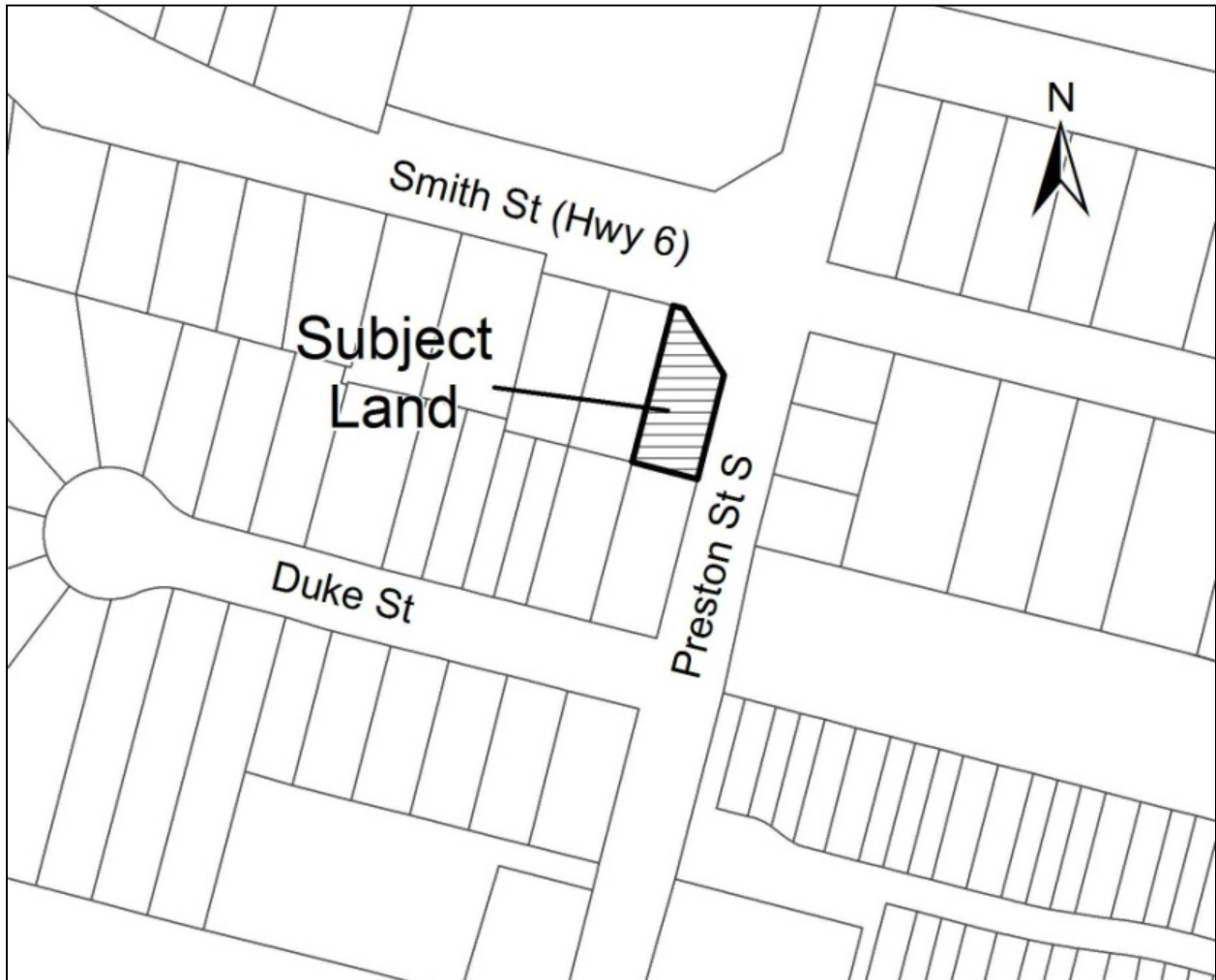
Seconded by: Member Hern

THAT the Committee of Adjustment meeting of September 12, 2016 be adjourned at 7:08 p.m.

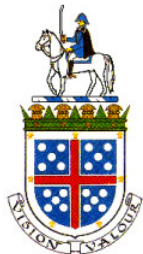
CARRIED

Secretary Treasurer

Chairman



A08-16 Edward O'Neill and Darlene Craig



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

September 21, 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 A08/16**
405 Smith Street, Arthur
O'Neil & Craig

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

Planning Opinion: The variances requested would allow a minor reduction in the minimum lot area, front and rear yard setback to permit the construction of a single family dwelling and facilitate the severance of the subject lands.

We have no concerns with the relief requested at this time. 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 Park Lot 9, S/S Smith Street, Crown Survey with a civic address of 405 Smith Street, Arthur. The subject land has an area of 865.5 m² (0.21 ac) and frontage of 20.2 m (66.6 ft.). The property is currently occupied by a single family dwelling.

PURPOSAL

The purpose of this application is to provide relief from the minimum lot area, front yard and rear yard setbacks for the construction of a single detached dwelling. This property recently received provisional approval from the County Land Division Committee to sever



the existing residential lot into two. These variances are required as a condition of severance application B44/16.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL. 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.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is currently zoned Residential (R2). The applicants have severed the property and are proposing to construct a single family dwelling on the vacant parcel and retain the dwelling on the retained parcel. In order to facilitate this proposal and as a condition of consent the following variances are required:

Severed Parcel	Adopted By-Law (66-01)	
	Required	Requested
Minimum lot area	465 m ² (5005.4 ft ²)	444 m ² (4779 ft ²)
Minimum front yard	7.6 m (24.9 ft.)	6 m (20 ft.)
Minimum rear yard	7.6 m (24.9 ft.)	6 m (20 ft.)

Retained Parcel	Adopted By-Law (66-01)	
	Required	Requested
Minimum lot area	465 m ² (5005.4 ft ²)	421.56 m ² (4537.6 ft ²)
Minimum rear yard	7.6 m (24.9 ft.)	3.66 m (12 ft.)

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

Yours truly,



Linda Redmond
Senior Planner