

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT  
NOVEMBER 7, 2022 @ 2:00 P.M.  
VIA WEB CONFERENCING**

**HOW TO JOIN**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/82007429968>

Description: Public Meeting Under the Planning Act

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

855 703 8985 (Toll Free) or 1 438 809 7799 (*long distance charges may apply*)

Webinar ID: 820 0742 9968

**PAGE  
NUMBER**

**CALLING TO ORDER - Chairperson Lennox**

**DISCLOSURE OF PECUNIARY INTEREST**

- A21/22 Robert & Linda Carder

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, September 12, 2022 (A18/22, A19/22, A20/22) 3

Recommendation:

THAT the Committee of Adjustment meeting minutes of September 12, 2022 – A18/22, A19/22 & A20/22 be adopted as presented.

**APPLICATION**

A21/22 – Robert & Linda Carder

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Arthur Concession 12 Part Lot 6 RP 61R21305 Parts 3 and 4 and is Municipally known as 6804 Sideroad 3 W, Mount Forest. The property is approximately 0.55 ha (1.35 ac) in size. The location of the property is shown on the map attached. 10

**THE PURPOSE AND EFFECT** of the application is to permit an accessory building to be constructed in the required front yard with reduced front yard setback. Further, a relief is also requested from the maximum height for the proposed accessory building. The applicants are proposing to construct a 185 m<sup>2</sup> (1,991.32 ft<sup>2</sup>) accessory building in the required front yard with a reduced front yard setback of 16 m (52.49 ft) and a maximum height of 6.5 m (21.32 ft). Other variances may be considered where deemed appropriate.

**SECRETARY TREASURER**

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on October 18, 2022.

## PRESENTATIONS

Matthieu Daoust, Senior Planner and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated November 7, 2022 11

## CORRESPONDENCE FOR COMMITTEE'S REVIEW

Agnes Strachan letter dated November 2, 2022 (Concerns) 13

## REQUEST FOR NOTICE OF DECISION

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

## CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

## COMMENTS/QUESTIONS FROM THE COMMITTEE

## DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconded required)

*THAT* the minor variance applied for in Application A21/22, for the property described as Arthur Concession 12 Part Lot 6 RP 61R21305 Parts 3 and 4, with a civic address of 6804 Sideroad 3 W, to provide the following relief;

1. **THAT a reduced Front Yard Setback of 16 m (52.49 ft) be permitted, for a proposed accessory building, whereas the By-law requires 30.5 m (100 ft); and**
2. **THAT an increased Height of 6.5 m (21.32 ft) be permitted, for a proposed accessory building, whereas the By-law allows 4.57 m (15 ft).**

## ADJOURNMENT

Recommendation:

*THAT* the committee of adjustment meeting of November 7<sup>th</sup>, 2022 be adjourned at \_\_\_\_\_.

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT  
SEPTEMBER 12, 2022 @ 2:00 P.M.**

**HYBRID MEETING WITH IN PERSON AND VIA WEB CONFERENCING**

**Members Present:**

**Mayor: Andrew Lennox  
Councillors: Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake**

**Staff Present:**

**Chief Administrative Officer: Brooke Lambert  
Director of Legislative Services/Clerk: Karren Wallace  
Deputy Clerk: Catherine Conrad  
Chief Building Official: Darren Jones  
Director of Operations: Matthew Aston  
Director of Finance: Farhad Hossain  
Human Resources Manager: Amy Tollefson  
Economic Development Officer: Dale Small  
Interim Manager Programming & Community Engagement: Mandy Jones  
Manger of Development Planning: Curtis Marshall  
Senior Planner: Matthieu Daoust**

**CALLING TO ORDER - Chairperson Lennox**

Chairperson Lennox called the meeting to order.

**DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest declared.

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, August 29, 2022 (A17/22)

RESOLUTION: CoA 2022-021

Moved: Yake

Seconded: Burke

THAT the Committee of Adjustment meeting minutes of August 29, 2022 – A17/22 be adopted as presented.

CARRIED

**APPLICATION**

**A18/22 – Rai R Suraj**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Plan 61M241 Lot 24 and is municipally known as 152 Walsh Street, Arthur. The property is approximately 0.05 ha (0.12 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to provide relief from minimum width requirements for a proposed private garage. The proposed variance will permit a reduced width of 5.18 m (17 ft) whereas the By-law requires a minimum width of 6 m (19.6 ft). Other variances may be considered where deemed appropriate.

## SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on August 18, 2022.

## PRESENTATIONS

Matthieu Daoust presented the Planning Report prepared by Asavari Jadhav, Junior Planner and Matthieu Daoust, Senior Planner, County of Wellington, Township of Wellington North dated September 6, 2022.

Planning Opinion: The variance requested would provide relief from the minimum width for a private garage. The applicants are proposing to add an additional residential unit in the basement. As a result, an additional permanent parking space is required. The applicant is proposing to make use of the existing 5.0 m (17 ft) wide private garage, whereas the bylaw requires a minimum garage width of 6.0 m (19.6 ft) for both units.

We have no concerns with the requested relief and are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and the request is desirable and appropriate for the development of the subject property.

### SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Plan 61M241 Lot 24 and is Municipally known as 152 Walsh Street, Arthur. The property is approximately 0.15 ha (0.38 ac) in size.

### PROPOSAL

The purpose of this application is to provide relief from the minimum width for a private garage. The applicants are proposing to add an additional residential unit in the basement. As a result, an additional permanent parking space is required. The applicant is proposing to make use of the existing 5.0 m (17 ft) wide private garage, whereas the bylaw requires a minimum garage width of 6.0 m (19.6 ft) for both units.

### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL located within the Urban Center of Arthur. 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 zoned Residential (R2). The applicant is proposing to add an additional residential unit and requires an additional permanent parking space. The applicant is proposing to make use of the existing 5.0 m (17 ft) wide private garage and requires the following variance:

Parking Regulations	Required Width	Proposed Width	Difference
Size of Parking Spaces (Section 6.27.1)	6.0 m (19.6 ft)	5.0 m (17 ft)	1.0 m (2.6 ft)

The variance requested is minor and appropriate for the use of the lot. The applicant is proposing to add an additional residential unit in the basement. As a result, an additional permanent parking space is required. The variance meets the general intent of the

Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

### **CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated August 22, 2022 (No Objection)

Jessica Conroy, Resource Planning Technician, Grand River Conservation Authority

- Email dated September 2, 2022 (No Objection)

### **REQUEST FOR NOTICE OF DECISION**

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

### **CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

Rai R Suraj, Applicant, was present to answer questions regarding the application.

### **COMMENTS/QUESTIONS FROM THE COMMITTEE**

No comments or questions from the Committee.

### **DECISION**

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A18/22, for the property described as Plan 61M241 Lot 24, with a civic address of 152 Walsh Street, Arthur to provide the following relief;

1. **THAT a reduced width of 5.0 m (17 ft) be permitted, for an existing private garage to allow for an additional permanent parking space for an additional residential unit in the basement, whereas the By-law requires 6.0 m (19.6 ft).**

CARRIED

### **APPLICATION**

**A19/22 – Edgar & Lena Sauder**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Part Lot 7, Concession 6 S and is municipally known as 9369 Concession 6 N. The property is approximately 19.6 ha (48.4 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to provide relief from Section 6.29.2c of the Zoning By-law which states that an Additional Dwelling Unit (Detached) shall be located in an accessory structure. The applicant is proposing to construct a stand alone 1,100 ft<sup>2</sup> residential dwelling. The proposed dwelling is required to meet all other accessory structure provisions of Section 6.1. Other variances may be considered where deemed appropriate.

### **SECRETARY TREASURER**

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on September 1, 2022.

## PRESENTATIONS

Matthieu Daoust, Senior Planner, County of Wellington, Township of Wellington North presented his Planning Report dated September 12, 2022.

Planning Opinion: The variance requested would provide relief from Section 6.29.2c of the Zoning By-law which states that an Additional Dwelling Unit (Detached) shall be located in an accessory structure. The applicants are proposing to build a stand alone 1,100 ft<sup>2</sup> residential dwelling on the subject lands.

We have no concerns with the application as it generally maintains the intent and purpose of the Official Plan and Zoning By-law as the lands are located within an agricultural area and zoned accordingly.

### SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Part Lot 7, Concession 6 S and is municipally known as 9369 Concession 6 N. The property is approximately 19.6 ha (48.4 ac) in size has an existing dwelling and a shed.

### PROPOSAL

The purpose of this application is to provide relief from Section 6.29.2c of the Zoning By-law which states that an Additional Dwelling Unit (Detached) shall be located in an accessory structure. The applicants are proposing to build a stand alone 1,100 ft<sup>2</sup> residential dwelling on the subject lands.

### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. 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 zoned Agricultural (A) and Natural Environment (NE). Section 6.29.2 of the Zoning By-law permits an additional dwelling unit to be constructed in any zone where a single detached, semi-detached or street townhouse dwelling is permitted. The applicant is proposing to build a standalone 1,100 ft<sup>2</sup> dwelling on the subject lands. Planning staff note the proposed ADU meets all other requirements of the Section 6.29.2 and 6.1. The following relief is requested:

<b>Residential Additional Dwelling Unit (ADU)</b>	<b>Required</b>	<b>Proposed</b>
Additional Dwelling Unit (Detached) Section 6.29.2c	Located in an accessory structure	Stand alone dwelling

The variance requested is minor and appropriate for the use of the lot. The variance meets the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

**CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Michael Oberle, Environmental Planning Coordinator, Saugeen Conservation

- No objection

**REQUEST FOR NOTICE OF DECISION**

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

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

Edgar Sauder, Applicant, was present to answer questions regarding the application and reviewed steps they have been taken.

**COMMENTS/QUESTIONS FROM THE COMMITTEE**

No comments or questions from the Committee.

**DECISION****CALL FOR VOTE: SHOW OF HANDS**

THAT the minor variance applied for in Application A19/22, for the property described as Part Lot 7, Concession 6 S, with a civic address of 9369 Concession 6 N, to provide the following relief;

1. **THAT a standalone additional dwelling unit (detached) be permitted, whereas the By-law requires an additional dwelling unit (detached) to be located in an accessory structure.**

CARRIED

**APPLICATION****A20/22 – Steven Clark**

**THE LOCATION OF THE SUBJECT PROPERTY** is described as West Luther Concession 6 Part Lot 9; RP 61R21154 Parts 2 and 3 and Municipally known as 8920 Wellington Road 16, Damascus. The property is approximately 0.53 ha (1.30 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to provide relief from the maximum height for an accessory structure. The applicants are proposing to construct a new detached garage with a height of 6.24 m (20.5 ft). Other variances may be considered where deemed appropriate.

**SECRETARY TREASURER**

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on August 25, 2022.

**PRESENTATIONS**

Matthieu Daoust presented the Planning Report prepared by Asavari Jadhav, Junior Planner and Matthieu Daoust, Senior Planner, County of Wellington, Township of Wellington North dated September 6, 2022.

Planning Opinion: The variance requested would provide relief from the maximum height for an accessory structure. The applicants are proposing to construct a new 222.96 m<sup>2</sup> (2,400 ft<sup>2</sup>) detached garage with a height of 6.24 m (20.5 ft).

We have no concerns with the requested relief and are satisfied that the application maintains 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.

#### SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as West Luther Concession 6 Part Lot 9; RP 61R21154 Parts 2 and 3 and is Municipally known as 8920 Wellington Road 16, Damascus. The property is approximately 0.53 ha (1.30 ac) in size.

#### PROPOSAL

The purpose of this application is to provide relief from the maximum height for an accessory structure. The applicants are proposing to construct a new 222.96 m<sup>2</sup> (2,400 ft<sup>2</sup>) detached garage with a height of 6.24 m (20.5 ft).

#### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is located within the HAMLET of Damascus. 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 zoned Residential (R1A) and Site Specific Residential (R1A-113). The applicant is proposing to construct a new detached garage within zone R1A and requires the following variance:

General Provisions	Permitted	Proposed	Difference
Height (Section 6.1.3 a)	4.57 m (15 ft)	6.24 m (20.5 ft)	1.67 m (5.5 ft)

The variance requested is minor and appropriate for the use of the lot. The variances meet the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

#### **CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Email dated August 29, 2022 (No Objections)

#### **REQUEST FOR NOTICE OF DECISION**

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

#### **CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

Steven Clark, Applicant, was present to answer any questions regarding the application. He explained that they are matching the height of the house, which will give the building a



single storey at the front and a walk out towards the back. It is just the back that exceeds the height requirements.

#### COMMENTS/QUESTIONS FROM THE COMMITTEE

Mayor Lennox requested clarification that the building will be two storeys. Mr. Clark stated that it will be a two storey garage.

#### DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconded required)

THAT the minor variance applied for in Application A20/22, for the property described as West Luther Concession 6 Part Lot 9; RP 61R21154 Parts 2 and 3 and municipally known as 8920 Wellington Road 16, Damascus to provide the following relief;

1. **THAT an increased height of 6.24m (20.5 ft) be permitted, for a proposed detached garage, whereas the By-law allows 4.57m (15 ft).**

CARRIED

#### ADJOURNMENT

RESOLUTION: CoA 2022-022

Moved: Burke

Seconded: McCabe

THAT the committee of adjustment meeting of September 12, 2022 be adjourned at 2:19 p.m.

CARRIED

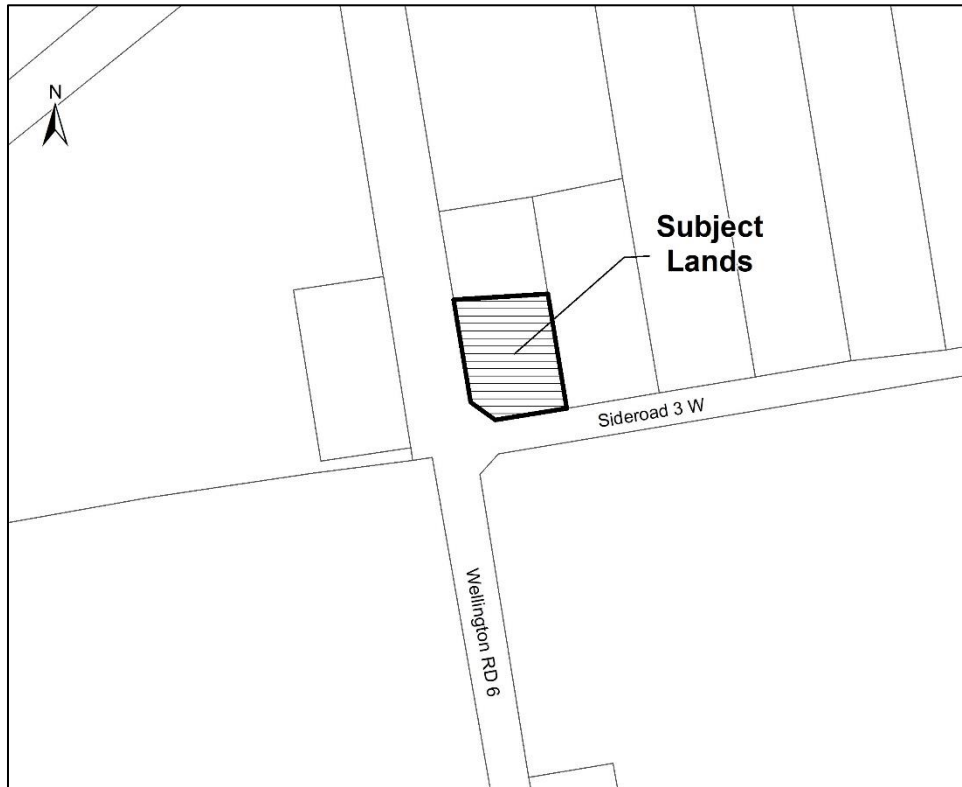
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Secretary Treasurer

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Chair

**ROBERT & LINDA CARDER**





## COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT  
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR  
TEL: (519) 837-2600  
FAX: (519) 823-1694  
1-800-663-0750

ADMINISTRATION CENTRE  
74 WOOLWICH STREET  
GUELPH, ONTARIO  
N1H 3T9

November 7<sup>th</sup>, 2022

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 A21/22**  
**6804 Sideroad 3 W**  
**Robert and Linda Carder**

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

**Planning Opinion:** The variance requested would provide relief from the minimum front yard setback and height for an accessory structure. Further, relief is requested from Section 6.1.2 c to permit an accessory structure in the required front yard setback. The applicants are proposing to construct a 185 m<sup>2</sup> (1,991.32 ft<sup>2</sup>) garage in the required front yard with a reduced front yard setback of 16 m (52.49 ft) and a maximum height of 6.5 m (21.32 ft). The applicant has indicated that the additional height is to accommodate additional personal storage of the recreational vehicle.

We have no concerns with the requested relief and are satisfied that the application maintains 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.

### SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Arthur Concession 12 Part Lot 6 RP 61R21305 Parts 3 and 4 and is Municipally known as 6804 Sideroad 3 W, Mount Forest. The property is approximately 0.55 ha (1.35 ac) in size. The location is shown on Figure 1.

### PROPOSAL

The purpose of this application is provide relief from the minimum front yard setback and height for an accessory structure. Further, relief is requested from Section 6.1.2 c to permit an accessory structure in the required front yard



Figure 1. 2020 Aerial photo of subject lands

setback. The applicants are proposing to construct a 185 m<sup>2</sup> (1,991.32 ft<sup>2</sup>) garage in the required front yard with a reduced front yard setback of 16 m (52.49 ft) and a maximum height of 6.5 m (21.32 ft). The applicant has indicated that the additional height is to accommodate additional personal storage of the recreational vehicle.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated as Country Residential in the 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.

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

The subject property is zoned Estate Residential (ER). The applicant is proposing to construct a new accessory building and requires the following variance:

General Provisions – Accessory Use	Permitted	Proposed	Difference
Minimum Front Yard Setback (Section 6.1.2 c and Section 14.2.3)	30.5 m (100.0 ft.)	16 m (52.49 ft)	14.5 m (47.51)
Height (Section 6.1.3 a)	4.57 m (15 ft)	6.5 m (21.32 ft)	1.67 m (5.5 ft)

The variance requested is minor and appropriate for the use of the lot. The applicant has indicated the proposed location of the garage is due to the existing location of the well and hydro lines on the subject property. The variances meet the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Asavari Jadhav  
 Junior Planner



Matthieu Daoust, RPP MCIP  
 Senior Planner



Agnes Strachan  
 9410 Wellington Rd. 6,  
 R.R. 1 Hawkeston, Ont  
 N0G 1Z0  
 Nov 2, 2022.

Attention: Karen Wallace, Clerk  
 : Township of Wellington North Committee of Adjustment

I am writing concerning the Notice of Public Hearing of Application for Minor Variance on the property at 6504 Sideroad 3 W., Mount Forest, directly across Wellington Rd 6 where I reside.

I have some concerns about the purpose and effect of this proposed Accessory building.

1. Accessory building can mean many things.
  - Storage - I have spoken with the Development Officer and she indicated this would be partly for a Motor Home (currently on the property and appears to be in use.) Would this be permitted as a permanent residence within the Accessory building? Other uses might be as a mechanical shop or business, a kennel or chicken house for example. I point out this is an Estate Residential lot.
2. I would be concerned about possible pollution - air, noise or run-off.
3. The proposed building is large, much larger than the present house. The height could be problematic should the tall trees surrounding the property be removed.
4. The last sentence of the application is, perhaps, the biggest concern. It states "Other variances may be considered where deemed appropriate." This leaves it wide open.

In conclusion, I do not know these people across the road. I respect their privacy and there have been no problems or issues with their residency there. I would wish it to remain this way.

Sincerely,  
 Agnes Strachan