

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT  
TUESDAY, MAY 23, 2023 AT 7:00 P.M.  
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING**

**Members Present:**

**Mayor: Andrew Lennox  
Councillors: Sherry Burke  
Lisa Hern  
Steve McCabe  
Penny Renken**

**Staff Present:**

**Chief Administrative Officer: Brooke Lambert  
Director of Legislative Services/Clerk: Karren Wallace  
Deputy Clerk: Catherine Conrad  
Human Resources Manager: Amy Tollefson  
Economic Development Officer: Dale Small  
Chief Building Official: Darren Jones  
Recreation Community Coordinator: Tasha Grafos  
Senior Planner: Matthieu Daoust  
Manager of Development Planning: Curtis Marshall**

**CALLING TO ORDER - Chairperson Lennox**

Chairperson Lennox called the meeting to order.

**DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest disclosed

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, March 20, 2023 (A01/23)

RESOLUTION: CoA 2023-006

Moved: McCabe

Seconded: Renken

THAT the Committee of Adjustment meeting minutes of March 20, 2023 – A01/23 be adopted as presented.

CARRIED

**APPLICATION**

A02/23 – Nathan & Penny Troyer

THE LOCATION OF THE SUBJECT PROPERTY is described as Plan Mount Forest N Clyde Street Pt Park Lot 2 RP 61R22096 Part 2. The property is approximately 0.43 ha (1.06 ac) in size.

THE PURPOSE AND EFFECT of the application is to permit an existing accessory structure (shed) of 48.31 m<sup>2</sup> (520 ft<sup>2</sup>) on the subject lands prior to the construction of the principal building. 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 April 26, 2023.

## PRESENTATIONS

Matthieu Daoust, Senior Planner, presented the report prepared by himself and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated May 17, 2023

Planning Opinion: The variance requested would provide relief from Section 6.1.5a of the Zoning By-law, which states no accessory structure building or accessory use shall be established on any lot or site until the main building has commenced construction. The applicant is proposing to retain the existing shed of 48.31 m<sup>2</sup> (520 ft<sup>2</sup>) for storage prior to the construction of a single detached dwelling.

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 Plan Mount Forest N Clyde Street Part Park Lot 2 RP 61R22096 Part 2. The property is approximately 0.43 ha (1.06 ac) in size.

### PROPOSAL

The purpose of this application is to provide relief from Section 6.1.5a of the Zoning By-law, which states no accessory structure building or accessory use shall be established on any lot or site until the main building has commenced construction. The applicant is proposing to retain the existing accessory structure (shed) of 48.31 m<sup>2</sup> (520 ft<sup>2</sup>) for storage prior to the construction of a single detached dwelling.

### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL and URBAN CENTRE (Mt Forest). 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 Unserviced Residential (R1A). The applicant is proposing to retain the existing accessory structure ahead of the construction of the main use (i.e. residential dwelling) with the following required variance:

<b>Establishment of an Accessory Building or Use Regulations</b>	<b>Permitted</b>	<b>Proposed</b>	<b>Difference</b>
<b>Accessory Building</b> (Section 6.1.5a)	Construction of main use ahead of construction of an accessory structure	Construction of an accessory structure ahead of construction of main use	N/A

The variance requested is minor and appropriate for the use of the lot. The subject lot was created as a result of severance application B14-21. The applicant has indicated that the shed is currently used for storage purposes. Furthermore, the applicant has indicated there is a long term plan to build a detached dwelling on the subject lands. 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**

Laura Hulsman

- Email dated May 6, 2023 (In Support)

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated May 10, 2023 (No Objection)

Cassandra Malo, Environmental Planning Technician, Saugeen Conservation

- Letter dated May 17, 2023

### **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**

Nathan & Penny Troyer, applicants were in attendance.

Garnet Troyer, neighboring property owner, attended in person. This was his property that was severed two years ago at which time a his shed and was left on the new property. It has been there at least 15 years and they would like to leave it with new property.

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

Councillor Burke commented that she was not concerned with leaving the shed as it is something that would just be built in the future.

### **DECISION**

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A02/23, for the property described as Plan Mount Forest N Clyde Street Pt Park Lot 2 RP 61R22096 Part 2, in the town of Mount Forest, to provide the following relief;

1. THAT the existing accessory structure be permitted to remain on site, ahead of the construction of the main use, whereas the By-Law requires the construction of the main use ahead of the construction of an accessory structure.

APPROVED

### **APPLICATION**

A03/23 – 5053745 Ontario Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described as Block 15, Registered Plan 61M-253 and is municipally known as 97-119 Jack's Way. The subject lands are approximately 0.31 ha (0.76 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum lot area and minimum lot frontage requirements to facilitate the construction of a 12 unit townhouse development. The applicant is proposing to construct 12 townhouse units with a lot area of 208 m<sup>2</sup> (2,238.9 ft<sup>2</sup>) and a lot frontage of 6.2 m (20.3 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 May 3, 2023.

## **PRESENTATIONS**

Matthieu Daoust, Senior Planner, presented the report prepared by himself and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated May 17, 2023

Planning Opinion: The variance requested would provide relief from the minimum lot area and minimum lot frontage requirements to facilitate the construction of a 12-unit townhouse development. The applicant is proposing to construct 12 townhouse units with a lot area of 208 m<sup>2</sup> (2,238.9 ft<sup>2</sup>) and a lot frontage of 6.2 m (20.3 ft). The subject property is vacant and is approximately 0.3 ha (0.76 ac) in size.

We have no concerns with the relief requested. We 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 Block 15, RP61M-253 and is municipally known as 97-119 Jack's Way. The property is approximately 0.3 ha (0.76 ac) in size. The location is shown on Figure 1.

## **PROPOSAL**

The purpose of this application is to provide relief from the minimum lot area and minimum lot frontage requirements to facilitate the construction of a 12-unit townhouse. The applicant is proposing to construct 12 townhouse units with a lot area of 208 m<sup>2</sup> (2,238.9 ft<sup>2</sup>) per dwelling and a lot frontage of 6.2 m (20.3 ft) per dwelling.

## **WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is located in the Urban Center of Mount Forest and designated as 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 Residential (R3). The subject property is vacant and is approximately 0.3 ha (0.76 ac) in size. The variance requested would provide relief from Zoning By-law 66-01, Section 13.2.1.1 for a reduced minimum lot area of 208 m<sup>2</sup> (2,238.9 ft<sup>2</sup>) per dwelling and Section 13.2.1.2 for a reduced minimum lot frontage of 6.2 m (20.3 ft) per dwelling to facilitate the construction of a 12-unit townhouse.

<b>Regulation Street Townhouse (Each Residential Dwelling Units)</b>	<b>Minimum Required</b>	<b>Proposed</b>	<b>Difference</b>
Minimum Lot Area Section 13.2.1.1	232.0 m <sup>2</sup> (2,497.3 ft <sup>2</sup> )	208 m <sup>2</sup> (2,238.9 ft <sup>2</sup> )	24 m <sup>2</sup> (258.4 ft <sup>2</sup> )
Minimum Lot Frontage Section 13.2.1.2	6.5 m (21.3 ft.)	6.2 m (20.3 ft)	0.3 m (1 ft)

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**

Barbara M.J. Baranow, Analyst Land Support, Enbridge Gas Inc.

- Email dated May 2, 2023 (No Objection)

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated May 8, 2023 (No Objection)

Erik Downing, Manager, Environmental Planning & Regulations, Saugeen Conservation

- Letter dated May 17, 2023 (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**

Brad Wilson (Property Owner) and Dana Kieffer, Cobide Engineering, attended virtually to answer any 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 A03/23, for the property described as Block 15, Registered Plan 61M-253 and municipally known as 97-119 Jack's Way, in the town of Mount Forest, to provide the following relief;

1. THAT a reduced Minimum Lot Area of 208 m<sup>2</sup> (2,238.9 ft<sup>2</sup>), per dwelling, be permitted, for a proposed 12-unit townhouse development, whereas the By-law requires 232.0 m<sup>2</sup> (2,497.3 ft<sup>2</sup>) per dwelling.
2. THAT a reduced Minimum Lot Frontage of 6.2 m (20.3 ft), per dwelling, be permitted, for a proposed 12-unit townhouse development, whereas the By-law requires 6.5 m (21.3 ft) per dwelling.

APPROVED

## ADJOURNMENT


RESOLUTION: 007-2023

Moved: Councillor Burke

Seconded: Councillor Hern

THAT the committee of adjustment meeting of May 23, 2023 be adjourned at 7:12 p.m.

CARRIED

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MAYOR

DocuSigned by:  
*Karren Wallace*  
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CLERK