

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
JULY 10, 2023 @ 2:00 P.M.
HYBRID MEETING – IN PERSON AND 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/86368148201>
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: 863 6814 8201

**PAGE
NUMBER**

CALLING TO ORDER - Chairperson Lennox

DISCLOSURE OF PECUNIARY INTEREST

A07/23 Pravinchandra & Sejalben Patel

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, June 19, 2023 (A06/23) 3

Recommendation:

THAT the Committee of Adjustment meeting minutes of June 19, 2023 – A06/23 be adopted as presented.

APPLICATION

A07/23 Pravinchandra & Sejalben Patel

THE LOCATION OF THE SUBJECT PROPERTY is described as Plan 61M140 Lot 6 7
and is municipally known as 120 Schmidt Drive, Arthur. The property is approximately
0.07 ha (0.17 ac) in size. The location of the property is shown on the map attached.

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 5.12 m (16.83 ft) whereas the By-law requires a minimum width of
6 m (19.6 ft) for 2 cars. 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 June 27, 2023.

PRESENTATIONS

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

- Planning Report dated July 10, 2023 8

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority	
• Email dated June 27, 2023 (No Objection)	11
Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection	
• Email dated June 29, 2023 (No Objection)	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/seconder required)

THAT the minor variance applied for in Application A07/23, for the property described as Plan 61M140 Lot 6, with a civic address of 120 Schmidt Drive, to provide the following relief;

1. **THAT a reduced width of 5.12 m (16.83 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).**

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of July 10, 2023 be adjourned at _____.

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
JUNE 19, 2023 @ 7:00 P.M.
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING
<https://www.youtube.com/watch?v=Prkb6FefuVA>

Members Present:

Chair: Andrew Lennox
Councillors: Lisa Hern (via Zoom)
Steve McCabe
Penny Renken

Member Absent:

Member: Sherry Burke

Staff Present:

Chief Administrative Officer: Brooke Lambert
Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Chief Building Official: Darren Jones
Human Resources Manager: Amy Tollefson
Acting Treasurer: Mary Jo Marshall
Manager, Community and Economic Development: Dale Small
Recreation Community Coordinator: Tasha Grafos
Recreation Services Manager: Tom Bowden
Manager of Development Planning: Curtis Marshall

CALLING TO ORDER - Chairperson Lennox

Chairperson Lennox called the meeting to order at 7:44 p.m.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, June 5, 2023 (A04/23, A05/23)

RESOLUTION: 010-2023

Moved: McCabe

Seconded: Hern

THAT the Committee of Adjustment meeting minutes of June 5, 2023 – A04/23 & A05/23 be adopted as presented.

CARRIED

APPLICATION

A06/23 – John & Mary Weber

THE LOCATION OF THE SUBJECT PROPERTY is described as Con 10 N Pt Lot 15 and is Municipally known as 9089 Concession 11. The property is approximately 61.16 ha (151.13 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum permitted size and to recognize the existing home business (fabric store, baked goods and dry goods). The applicant is proposing a 195.09 m² (2,100 ft²) addition to an existing 260.12 m² (2,800 ft²) business, resulting in a total size of 455.21 m² (4,900 ft²). 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 June 5, 2023.

PRESENTATIONS

Curtis Marshall, Manager of Development Planning and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated June 19, 2023

Planning Opinion The variance requested would provide relief from the maximum floor area requirements for an existing home business (fabric store, baked goods, and dry goods). The applicants are proposing to construct a 195.09 m² (2,100 ft²) addition to an existing 260.12 m² (2,800 ft²) business, resulting in a total size of 455.21 m² (4,900 ft²).

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 Concession 10 N Part Lot 15 and is municipally known as 9089 Concession 11. The property is approximately 40 ha (98.85 ac) in size with an existing dwelling, two barn, two sheds and home business (fabric store, baked goods, and dry goods).

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area requirements for an existing home business (fabric store, baked goods, and dry goods). The proposed variance will permit an increased floor area of 195.09 m² (2,100 ft²) addition to an existing 260.12 m² (2,800 ft²) business, resulting in a total size of 455.21 m² (4,900 ft²). The current site-specific zoning by-law permits a maximum floor area of 260.12 m² (2,800 ft²)

WELLINGTON COUNTY OFFICAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. The identified features include Maitland Valley Conservation Authority regulated Hazard Lands. The proposed home industry is located outside the Core Greenland features on the property.

Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that a home business includes home industries which “are small in scale with a limited number of employees, and minimal off-site impacts – examples include minor equipment repair, woodworking, crafts, and welding”.

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 Site Specific (A-90) and Natural Environment (NE) Zone. The applicants are proposing to construct a 195.09 m² (2,100 ft²) addition to an existing 260.12 m² (2,800 ft²) business, resulting in a total size of 455.21 m² (4,900 ft²). The home industry is to remain small scale and secondary to the main use on the property. The property appears to be large enough to accommodate the addition to the home industry.

The variance requested would provide relief from Section 33.90 site specific of Zoning By-law 66-01 to expand the existing home business (fabric store, baked goods, and dry goods) with an increased floor area of 195.09 m² (2,100 ft²).

Home Business	Required	Proposed	Difference
Site Specific Regulations Section 33.90 c)	260.12 m ² (2,800 ft ²)	455.21 m ² (4,900 ft ²).	195.09 m ² (2,100 ft ²)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

No correspondence tabled.

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

Mr. Weber was present 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 A06/23, for the property described as Con 10 N Pt Lot 15, geographic Township of Arthur, with a civic address of 9089 Concession 11, to provide the following relief;

- 1. THAT an increased maximum floor area of 455.21 square meters (4,900 sq. ft.) be permitted, for an existing home business (fabric store, baked goods and dry goods), whereas the By-law allows a maximum floor area of 260.12 square meters (2,800 sq. ft.).**

APPROVED

ADJOURNMENT

RESOLUTION: 011-2023

Moved: McCabe

Seconded: Renken

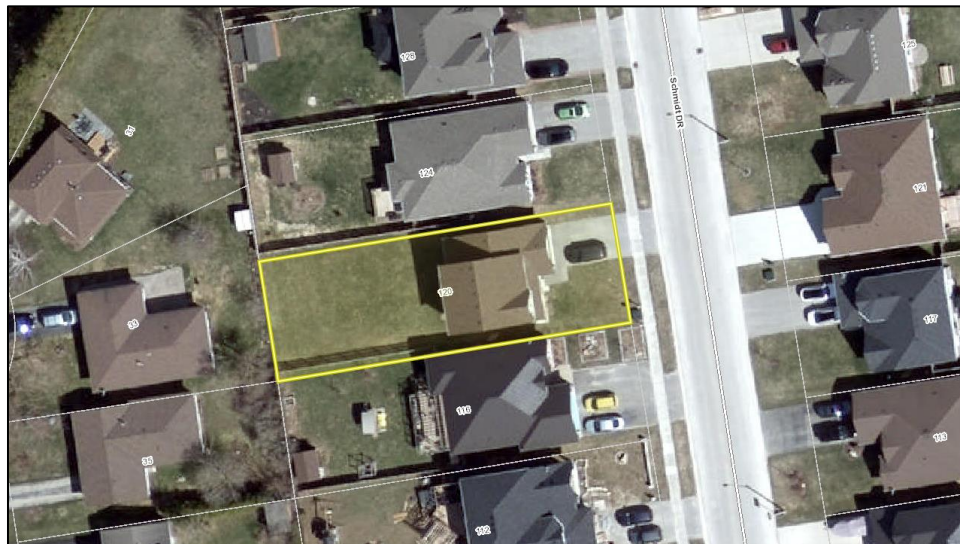
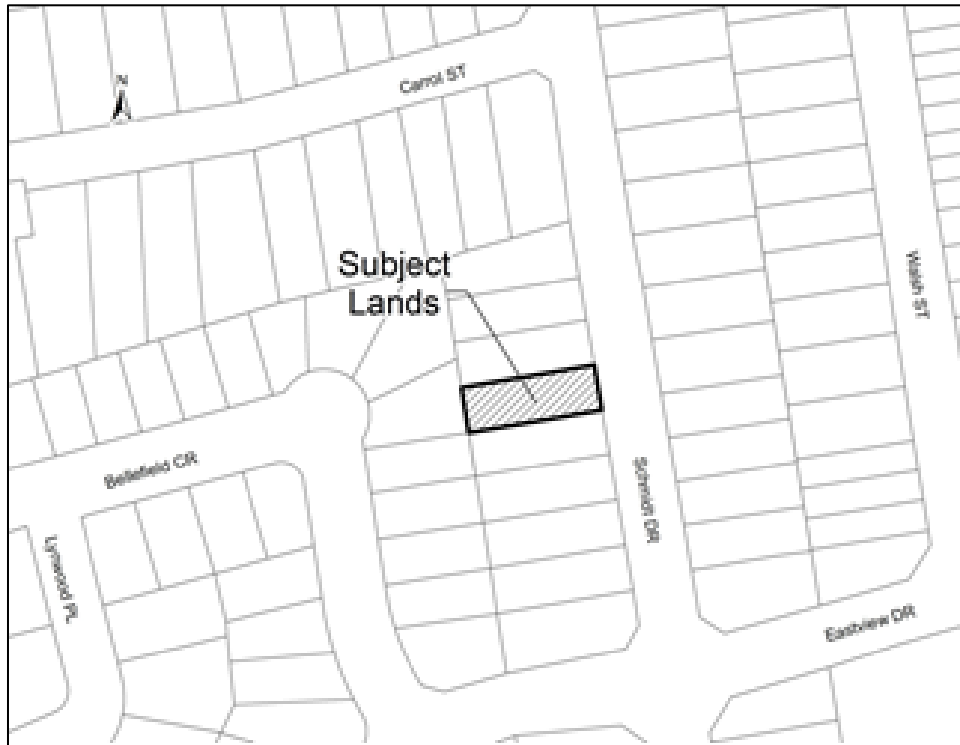
THAT the committee of adjustment meeting of June 19, 2023 be adjourned at 7:48 p.m.

CARRIED

MAYOR

CLERK

PRAVINCHANDRA & SEJALBEN PATEL





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

July 10th, 2023

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 A07/23**
Plan 61M140 Lot 6
120 Schmidt Drive, Arthur
Pravinchandra and Sejalben Patel

Attachment: Interior of garage for subject lands

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

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 5.12 m (16.83 ft) wide private garage, whereas the bylaw requires a minimum garage width of 6.0 m (19.6 ft) to park two vehicles.

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 61M140 Lot 6 and is Municipally known as 120 Schmidt Drive, Arthur. The property is approximately 0.07 ha (0.17 ac) in size. The location of the property is shown on Figure 1.

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



Figure 1. 2020 Aerial photo of subject lands

use of the existing 5.12 m (16.83 ft) wide private garage, whereas the bylaw requires a minimum garage width of 6.0 m (19.6 ft) to park two vehicles.

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 (R1C). The applicant is proposing to add an additional residential unit in the basement and requires an additional permanent parking space. The applicant is proposing to make use of the existing 5.12 m (16.83 ft) wide private garage to park two vehicles 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)	5.12 m (16.83 ft)	0.88 m (2.77 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. Further, the applicant has submitted a picture of the garage demonstrating that two vehicles can fit in the existing garage (Attachment 1). 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.

Yours truly,



Asavari Jadhav
Junior Planner



Matthieu Daoust, MCIP RPP
Senior Planner

Attachment 1:
Interior of garage for subject lands



Tammy Pringle

From: Planning <planning@grandriver.ca>
Sent: June 27, 2023 11:16 AM
To: Tammy Pringle
Subject: RE: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A07/23 120 Schmidt Dr.

Hi Tammy,

GRCA has no objection to the approval of application A07/23. The subject property does not contain any natural hazards such as watercourses, floodplains, shorelines, wetlands, or valley slopes. The property is not subject to Ontario Regulation 150/06 and, therefore, a permission from GRCA is not required.

Sincerely,

Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Office: 519-621-2763 ext. 2228
Email: aherreman@grandriver.ca

From: Tammy Pringle <tpringle@wellington-north.com>
Sent: Tuesday, June 27, 2023 11:12 AM
Subject: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A07/23 120 Schmidt Dr.

TOWNSHIP OF WELLINGTON NORTH COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

Planning Act, R.S.O. 1990, Chap.P.13, ss.45 (5)
A07/23

TAKE NOTICE that an application for minor variance, under the above file number has been submitted to the Committee of Adjustment for the Township of Wellington North. The Committee will give consideration to the minor variance application on:

Monday, July 10, 2023, 2023 @ 2:00 p.m.

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. <https://us02web.zoom.us/j/86368148201>
Description: Public Meeting Under the Planning Act

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Or

Attend in person:
Township of Wellington North Administration Office, Council Chambers
7490 Sideroad 7 West, Kenilworth

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Tammy Pringle

Development Clerk, *Township of Wellington North*

519.848.3620 ext. [4435](tel:51984836204435) | 7490 Sideroad 7 W, PO Box 125, Kenilworth, ON N0G 2E0



Focused on Building Capacity

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Tammy Pringle

From: Source Water <sourcewater@centrewellington.ca>
Sent: June 29, 2023 11:36 AM
To: Tammy Pringle
Cc: Source Water
Subject: RE: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A07/23 120 Schmidt Dr.

Hi Tammy,

Thank you for providing the above referenced application for review. Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Kind regards,
Danielle

Danielle Walker (she/ her) | Source Protection Coordinator

Wellington Source Water Protection | 1 MacDonald Square, Elora, ON, N0B 1S0
519.846.9691 x236 | DWalker@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1-844-383-9800

Wellington Source Water Protection is a municipal partnership between the Townships of Centre Wellington, Guelph / Eramosa, Mapleton, Puslinch, Wellington North, the Towns of Erin and Minto and the County of Wellington created to protect existing and future sources of drinking water.

From: Tammy Pringle <tpringle@wellington-north.com>
Sent: Tuesday, June 27, 2023 11:12 AM
Subject: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A07/23 120 Schmidt Dr.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TOWNSHIP OF WELLINGTON NORTH COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

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Tammy Pringle

Development Clerk, *Township of Wellington North*

519.848.3620 ext. **4435** | 7490 Sideroad 7 W, PO Box 125, Kenilworth, ON N0G 2E0



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