

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT  
JULY 10, 2023 @ 2:00 P.M.  
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING  
<https://www.youtube.com/watch?v=FQ79ez4-wmQ>**

**Members Present:**

**Chairperson:  
Members:**

**Andrew Lennox  
Sherry Burke  
Steve McCabe  
Penny Renken**

**Member Absent:**

**Lisa Hern**

**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  
Recreation Community Coordinator: Tasha Grafos  
Manager of Transportation Services: Dale Clark  
Director of Fire Services: Chris Harrow  
Senior Planner: Matthieu Daoust**

**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, June 19, 2023 (A06/23)

RESOLUTION: 012-2023

Moved: Renken

Seconded: McCabe

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

CARRIED

**APPLICATION**

A07/23 Pravinchandra & Sejalben Patel

**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 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

### 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.

### 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 5.12 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.

**CORRESPONDENCE FOR COMMITTEE’S REVIEW**

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Email dated June 27, 2023 (No Objection)

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated June 29, 2023 (No Objection)

Shanna Toale, 112 Schmidt Drive

- Email dated July 10, 2023 (concerns related to fire risks)

**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**

Pravin Patel and Tirth Patel were present to answer questions. Tirth Patel suggested they could address Ms. Toale’s concerns with fireproofing in the garage.

**COMMENTS/QUESTIONS FROM THE COMMITTEE**

Member McCabe stated he was okay with approving the request if the concerns were addressed. He questioned if there is parking in the backyard. Darren Jones, CBO, commented that the sideyard setback is only 1.2m so vehicles could not get to the backyard. This application would not change that. He further provided that once the minor variance is approved the applicant will have to apply for a building permit and follow the building code. There is no need to involve the fire department.

**DECISION**

CALL FOR VOTE: SHOW OF HANDS

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).**

APPROVED

**ADJOURNMENT**

RESOLUTION: 012-2023

Moved: Burke

Seconded: McCabe

THAT the committee of adjustment meeting of July 10, 2023 be adjourned at 2:15 p.m.

CARRIED

DocuSigned by:  
  
88AF05F00D204A8...

**MAYOR**

DocuSigned by:  
  
F68A44567482488...

**CLERK**