

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
MARCH 25, 2024 @ 7:00 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/84419948726>

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: 844 1994 8726

**PAGE
NUMBER**

CALLING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST

A02/24 James & Selema Martin

MINUTES OF PREVIOUS MEETING

Committee of Adjustment, February 12, 2024 (A01/24)

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Recommendation:

THAT the Committee of Adjustment meeting minutes of February 12, 2024 – A01/24 be adopted as presented.

APPLICATION

A02/24 – James & Selema Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as Concession 12, Part Lot 9 and is Municipally known as 6816 Sideroad 4. The property is approximately 61.16 ha (151.13 ac) in size. The location of the property is shown on the map attached.

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THE PURPOSE AND EFFECT of the application is to provide relief from the maximum square footage for the home industry (lumber mill) that was destroyed by a fire. The applicants are proposing to construct a new 1,114.8 m² (12,000 ft²) home industry shop to replace a previously existing 780.4 m² (8,400 ft²) shop. 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 March 13, 2024.

PRESENTATIONS

Jessica Rahim, Senior Planner and Jamie Barnes, Junior Planner, County of Wellington, Township of Wellington North 8

- Planning Report dated March 18, 2024

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Pasquale Costanzo, Technical Services Supervisor, County of Wellington, Roads Division 11

- Email dated March 14th, 2024 (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 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 A02/24, for the property described as Concession 12, Part Lot 9, geographic Township of Arthur, with a civic address of 6816 Sideroad 4, to provide the following relief;

1. **THAT an increased maximum square footage of 1,114.8 m² (12,000 ft²) be permitted, for a home industry shop, whereas the current Site Specific Zoning permits 780.4 m² (8,400 ft²) .**

ADJOURNMENT

Recommendation:

THAT the Committee of Adjustment meeting of March 25, 2024 be adjourned at _____.

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
FEBRUARY 12, 2024 AT 2:00 P.M.
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING
https://www.youtube.com/watch?v=jti_wgygrUE**

Members Present:
Mayor: Andrew Lennox
Councillors: Sherry Burke (via Zoom)
Lisa Hern
Steve McCabe
Penny Renken

Staff Present:
Chief Administrative Officer: Brooke Lambert
Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Executive Assistant to CAO: Tasha Grafos
Director of Finance: Jerry Idialu
Human Resources Manager: Amy Tollefson
Chief Building Official: Darren Jones
Manager Environment & Development Services: Corey Schmidt
Compliance Analyst: Sara McDougall
Manager Community & Economic Development: Mandy Jones
Economic Development Officer: Dale Small
Recreation Service Manager: Tom Bowden
Director of Fire Services: Chris Harrow
Manager of Development Planning: Curtis Marshall
Risk Management Official: Kyle Davis

CALLING TO ORDER

Chair Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

MINUTES OF PREVIOUS MEETING

Committee of Adjustment, January 15, 2024 (A20/23, A21/23)

RESOLUTION: COA 003-2024

Moved: Hern

Seconded: Renken

THAT the Committee of Adjustment meeting minutes of January 15, 2024 –A20/23 & A21/23 be adopted as presented.

CARRIED

APPLICATION

A01/24 – Wayne Gingrich

THE LOCATION OF THE SUBJECT PROPERTY is described as Concession 3 Part Lot 2 N Part Lot 3 and is Municipally known as 9570 Concession 2. The property is approximately 73.7 ha (182.1 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the exiting barn and cannot meet the minimum distance required of 209 m (686 ft) to the nearest Type A land uses (dwelling). 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 January 29, 2024.

PRESENTATIONS

Curtis Marshall, Manager of Development Planning, reviewed the report prepared by Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 31, 2024

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the exiting barn and cannot meet the minimum distance required of 209 m (686 ft) to the nearest Type A land uses (dwelling).

We have no concerns with the relief requested for the new barn addition. The location of the new barn provides operational efficiency. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Concession 3, Part Lot 2 N & Part Lot 3 and is Municipally known as 9570 Concession 2. The property is approximately 73.7 ha (182.1 ac) in size and is occupied by a barn, drive shed, shop, and dwelling.

PROPOSAL

The purpose of this application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the exiting barn and cannot meet the minimum distance required to the nearest dwelling at 9586 Concession 2.

Provincial Policy Statement (PPS)

The subject property is within a PRIME AGRICULTURE, GREENLANDS and CORE GREENLANDS area. New or expanding livestock facilities shall comply with the

minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The proposed barn appears to be located outside the Core Greenlands and Greenlands regulated area by the Saugeen Valley Conservation Authority (SVCA). In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, 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 Agriculture (A) and Natural Environment (NE). The proposed barn appears to be located outside the NE zone. The location of the proposed barn addition does not meet the Minimum Distance Separation II (MDS II) from the nearest neighboring residential dwelling at 9586 Concession 2.

The applicants have indicated that the location of the new barn addition will provide operational efficiency. Therefore, the following relief is required in order to facilitate this proposal:

Barn Addition	Required	Proposed	Difference
MDS II to Type A Land Use (Section 6.17.2 & 8.6)	209 m (686 ft)	122 m (400 ft)	87 m (286 ft)

CORRESPONDENCE FOR COMMITTEE’S REVIEW

Jason Dodds, Environmental Planning Technician, Saugeen Conservation
 • Letter dated January 29, 2024 (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 COMMENTS/QUESTIONS

Wayne Gingrich, Applicant, was present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Councillor Renken inquired what the purpose of the extension is for citing a concern with odours if it is going to house animals. Mr. Gingrich stated that it will be for beef cattle. Councillor Renken asked if there have been any objections from the neighbours. Mr. Gingrich commented that he has spoken to the neighbours, and they are in support of the proposed addition and have no concerns.

Councillor Burke questioned if the neighbouring farms would be affected by the proposed addition if they want to expand. Darren Jones, CBO, explained that there is no required set back from one barn to another barn so it would not have a negative impact on agricultural buildings on another property.

Councillor Hern asked if there will be a loafing yard at the end of the barn. Mr. Gingrich commented that there will be a covered loafing area. There will also be an overshoot with the roof on the east side of the barn.

DECISION

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A01/24, for the property described as Concession 3 Part Lot 2 N Part Lot 3, with a civic address of 9570 Concession 2, to provide the following relief;

1. **THAT a reduced MDS II to Type A Land Use of 122m (400 ft) be permitted, for a proposed barn addition be permitted, whereas the By-Law requires 209m (686 ft).**

APPROVED

ADJOURNMENT

RESOLUTION: COA 004-2024

Moved:

Seconded: Burke

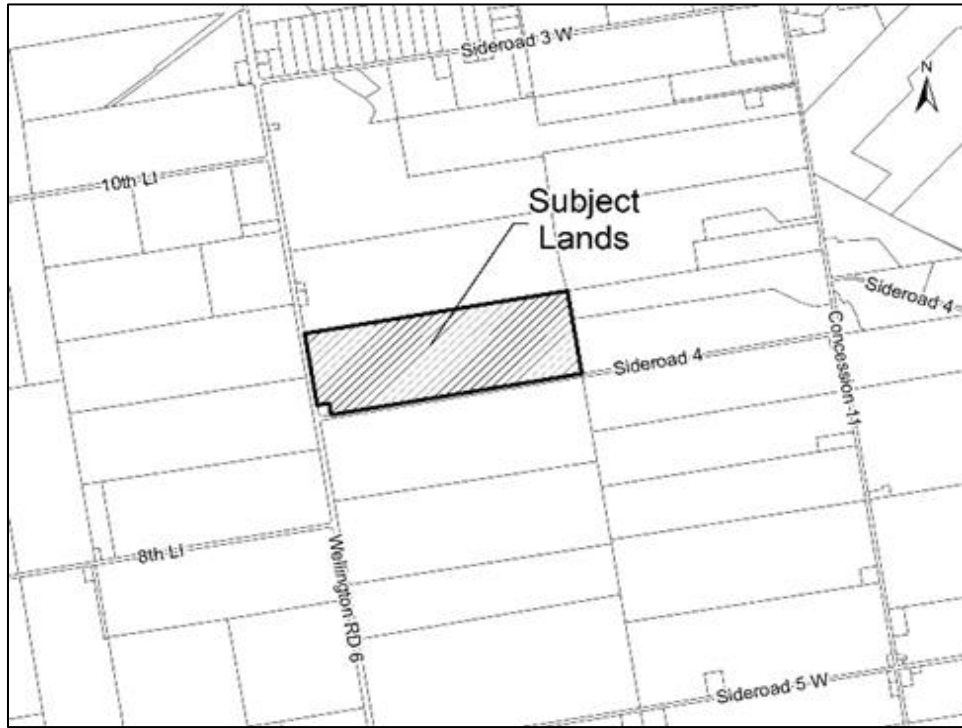
THAT the Committee of Adjustment meeting of February 12, 2024 be adjourned at 2:24 p.m.

CARRIED

CHAIRPERSON

SECRETARY TREASURER

A02/24 JAMES & SELEMA MARTIN 6816 SIDEROAD 4





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

March 18th, 2024

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 A02/24**
Concession 12, Part Lot 9
6816 Sideroad 4
James Martin

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion The variance requested would provide relief from the maximum floor area requirements for a home industry (Lumber Mill). The applicants are proposing to construct a new 1,114.80m² (12, 000 ft²) home industry shop to replace a previously existing 780.40 m² (8,400) ft² shop.

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 12, Part Lot 9 and is Municipally known as 6816 Sideroad 4. The property is approximately 61.16 ha (151.13 ac) in size with an existing dwelling, barn, and two sheds. A home industry (lumber mill) building previously existed on this property but was recently burned down in a fire. The location of the property is shown on Figure 1 below.

PROPOSAL

The purpose of this application is to provide relief from the maximum floor



Figure 1: 2020 Aerial photo

area requirements for a home industry (lumber mill) that was recently destroyed by a fire. The applicants are proposing to construct a new 1,114.80 m² (12,000 ft²) home industry shop to replace previously existing 780.40 m² (8,400 ft²) shop. The current site-specific zoning permits a maximum floor area of 594.56 m² (6,400 ft²) and the applicants applied for a minor variance (A04/22) in February 2022 that was approved to permit a maximum floor area of 780.40 m² (8,400 ft²). Therefore, the proposed variance would permit an increased floor area of 334.50 m² (3,600 ft²) from the previously approved applications.

WELLINGTON COUNTY OFFICAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The identified features include Maitland Valley Conservation Authority regulated Provincially Significant Wetlands, Hazard Lands and an Environmentally Sensitive Area. 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-155) and Natural Environment (NE) Zone. The site-specific zone A-155 permits an agricultural-related industry in the form of a sawmill, as well as an expanded home industry. The applicants are proposing to construct an additional 334.50 m² (3,600 ft²) addition to a previously existing 780.40 m² (8,400 ft²) shop that was destroyed in a fire, for a total floor area of 1,114.80 m² (12,000 ft²). The applicants have indicated that the additional space is required to support their growing business and will be used to store larger equipment, lumber, and wooden pallets manufactured on site. The property appears to be large enough to accommodate the addition to the home industry and the proposed use is limited in area in comparison to the farm parcel size. The proposed building with adjacent parking area is approximately 0.4 ha (1 ac) in size on the subject lands, therefore will remain small scale and secondary to the main use on the property.

The variance requested would provide relief from Section 33.155 site specific of Zoning By-law 66-01 to expand the existing Home Industry (Lumber Mill). The following relief is being requested:

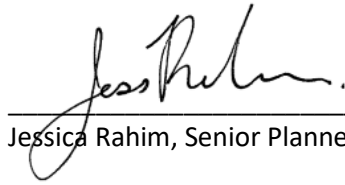
Home Industry	Permitted	Proposed	Difference
Site Specific Regulations Section 33.155a	780.40 m ² (8,400 ft ²)	1,114.80 m ² (12,000 ft ²)	334.40 m ² (3,600 ft ²)

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

Yours truly,



Jamie Barnes, Junior Planner



Jessica Rahim, Senior Planner

Tammy Pringle

From: Pasquale Costanzo <pasqualec@wellington.ca>
Sent: March 14, 2024 2:08 PM
To: Tammy Pringle
Subject: RE: REVISED: NOTICE OF PUBLIC MEETING OF APPLICATION FOR MINOR VARIANCE: A02/24 6816 Sideroad 4

Hi Tammy,

There's No Objections with application A02/24 and request a notice of decision.

Take care

Pasquale Costanzo, C.E.T., CMMII Infrastructure Specialist
Technical Services Supervisor
County of Wellington, Roads Division
T 519.837.2601 x 2250
E pasqualec@wellington.ca

From: Tammy Pringle <tpringle@wellington-north.com>
Sent: Wednesday, March 13, 2024 1:52 PM
Subject: REVISED: NOTICE OF PUBLIC MEETING OF APPLICATION FOR MINOR VARIANCE: A02/24 6816 Sideroad 4

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you know the contents to be safe.

Good Afternoon Everyone,

Please find attached the **Revised** Notice of Committee of Adjustment Meeting for Application A02/24 for the property at 6816 Sideroad 4.

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)
A02/24

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, March 25, 2024 @ 7:00 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/84419948726>
Description: Public Meeting Under the Planning Act

Join by phone:
Dial: 855 703 8985 (Toll Free) or 1 438 809 7799 (*long distance charges may apply*)
Webinar ID: 844 1994 8726

Or

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

THE LOCATION OF THE SUBJECT PROPERTY is described as Concession 12, Part Lot 9 and is Municipally known as 6816 Sideroad 4. The property is approximately 61.16 ha (151.13 ac) in size. The location is shown on the map below.

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum square footage for the home industry (lumber mill) that was destroyed by a fire. The applicants are proposing to construct a new 1,114.8 m² (12,000 ft²) home industry shop to replace a previously existing 780.4 m² (8,400 ft²) shop. Other variances may be considered where deemed appropriate.



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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From: Tammy Pringle

Sent: Wednesday, March 13, 2024 11:44 AM

Subject: RE: NOTICE OF PUBLIC MEETING OF APPLICATION FOR MINOR VARIANCE: A02/24 6816 Sideroad 4

Good Morning Everyone,

Please hold off on any comments for this email. We are anticipating sending out a Revised Notice, updating the Purpose and Effect of the application, that may change your comments.



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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