

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
TUESDAY, MAY 21, 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/89204708271>

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: 892 0470 8271

**PAGE
NUMBER**

CALLING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST

A03/24 Dale Eastep

MINUTES OF PREVIOUS MEETING

Committee of Adjustment, March 25, 2024 (A02/24)

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Recommendation:

THAT the Committee of Adjustment meeting minutes of March 25, 2024 – A02/24 be adopted as presented.

APPLICATION

A03/24 – Dale Eastep

THE LOCATION OF THE SUBJECT PROPERTY is described as Concession 8, W Part Lot 8 RP 61R5583, Part 1 and is Municipally known as 8343 Line 8.

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The property is approximately 1.27 ha (3.1 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 the maximum floor area, maximum height and reduced side yard setback requirements for an accessory structure/riding arena, and to provide relief from the maximum floor area for a hobby barn addition. The applicant is proposing to construct a personal workshop/riding arena with a total floor area of 647 m² (6,960 ft²), a height of 25 ft (7.62 m) and a reduced side yard setback of 2 m (6.6 ft). The applicants are also proposing to construct an addition to the existing hobby barn with a total floor area of 96 m² (1,034 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 April 26, 2024.

PRESENTATIONS

Jessica Rahim, Planner, County of Wellington, Township of Wellington North

- Planning Report dated May 10, 2024 9

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Letter dated May 14, 2024 (No Objections) 12

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 A03/24, for the property described as Concession 8, W Part Lot 8 RP 61R5583, Part 1, geographic Township of West Luther, with a civic address of 8343 Line 8, to provide the following relief;

1. **THAT an increased Height of 7.62 m (25 ft) be permitted, for a proposed workshop/riding arena, whereas the By-law allows 6.7 m (22 ft);**
2. **THAT an increased Lot Coverage of 647 m² (6,960 ft²) be permitted whereas the By-law allows a maximum of 269.4 m² (2,900 ft²);**
3. **THAT a reduced Interior Side Yard Setback of 2 m (6.6 ft) be permitted for a proposed accessory structure/riding arena, whereas the By-law requires 3 m (9.8 ft);**
4. **THAT a reduced Interior Side Yard Setback of 2 m (6.6 ft) be permitted for a proposed livestock building (riding arena), whereas the By-law requires 18.3 m (60 ft); and**

5. **THAT an increase Ground Floor Area maximum of 96 m² (1,034 ft²) be permitted, for a proposed hobby barn addition, whereas the By-law permits 37.2 m² (400.4 ft²).**

ADJOURNMENT

Recommendation:

THAT the Committee of Adjustment meeting of May 21, 2024 be adjourned at _____ pm.

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

- Planning Report dated March 18, 2024

Curtis Marshall, Manager of Development Planning, presented the Planning Report prepared by Jessica Rahim, Senior Planner and Jamie Barnes, Junior Planner, County of Wellington, Township of Wellington North, dated March 18, 2024.

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.

PROPOSAL

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

CORRESPONDENCE FOR COMMITTEE’S REVIEW

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

- Email dated March 14th, 2024 (No Objection)

Michael Oberle, Environmental Planning Coordinator, Saugeen Conservation

- Correspondence dated March 21, 2024 (application generally acceptable)

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

James Martin, Applicant, was present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Councillor McCabe inquired if the expansion is still within the farming cluster and not taking any land out of production. CBO Jones stated that the building was replaced immediately adjacent to the building that burned down and is still in the farm yard.

Councillor Hern requested confirmation that there shouldn't be any impact on surrounding farm dwellings or properties. CBO Jones confirmed that there will not be impacts and that the building is set back a little further from the neighbour's house than the previous building.

Councillor Hern questioned if this is considered to be minor as it is about forty percent larger. Mr. Martin explained that it wasn't planned to build larger, but after the fire they decided now was the time for expansion.

DECISION

CALL FOR VOTE: SHOW OF HANDS

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) .**

APPROVED

ADJOURNMENT

RESOLUTION: COA 006-2024

Moved: McCabe

Seconded: Hern

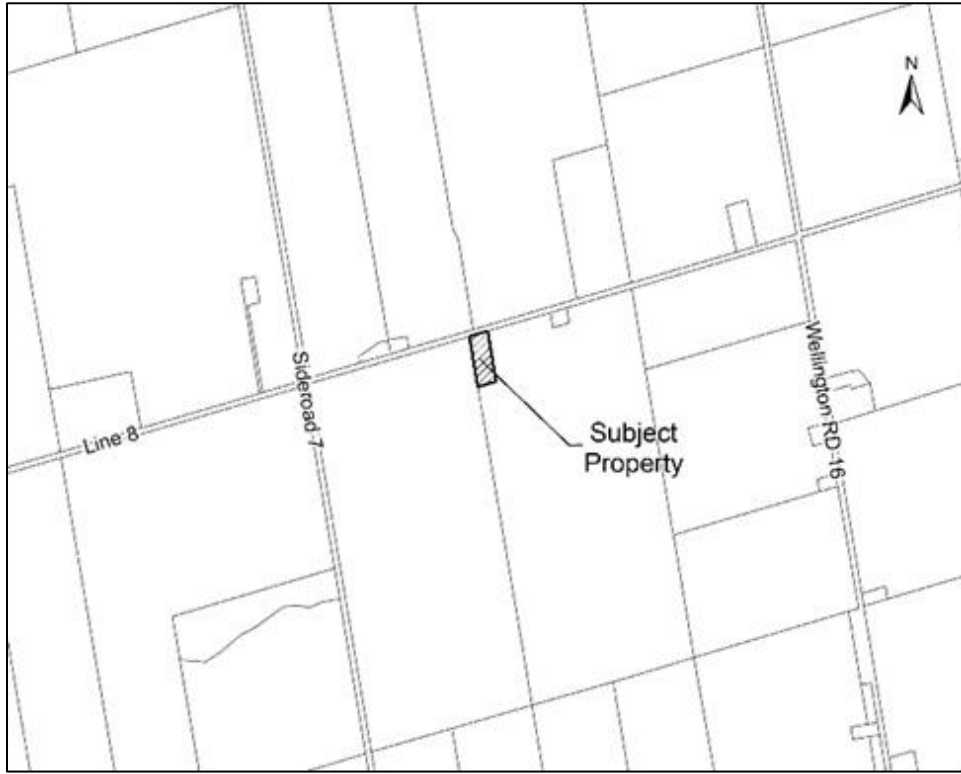
THAT the Committee of Adjustment meeting of March 25, 2024 be adjourned at 7:12 p.m.

CARRIED

ACTING CHAIRPERSON

SECRETARY TREASURER

A03/24 DALE EASTEP 8343 LINE 8





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

May 10th, 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 – A03/24
Concession 8 W Part Lot 8
8343 Line 8, Wellington North
Dale Eastep**

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, maximum height and reduced side yard setback requirements for an accessory structure/riding arena, and to provide relief from the maximum floor area for a hobby barn addition. The applicant is proposing to build a personal garage/riding arena with a total floor area of 647 m² (6,960 ft²), a height of 25 ft (7.62 m) and a reduced side yard setback of 2 m (6.6 ft). The applicants are also proposing to construct an addition to the existing hobby barn with a total floor area of 96 m² (1034 ft²).

The Committee should be 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.

If approved, we would recommend that the following conditions be applied:

1. That the accessory structure is used only for personal storage.
2. That the accessory structure cannot be used for business purposes or habitation.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Concession 8 W Part Lot 8 RP 61 R5583, Part 1 and is municipally known as 8343 Line 8. The property is approximately 1.27 ha (3.1 ac) in size. The location of the property is shown on Figure 1.

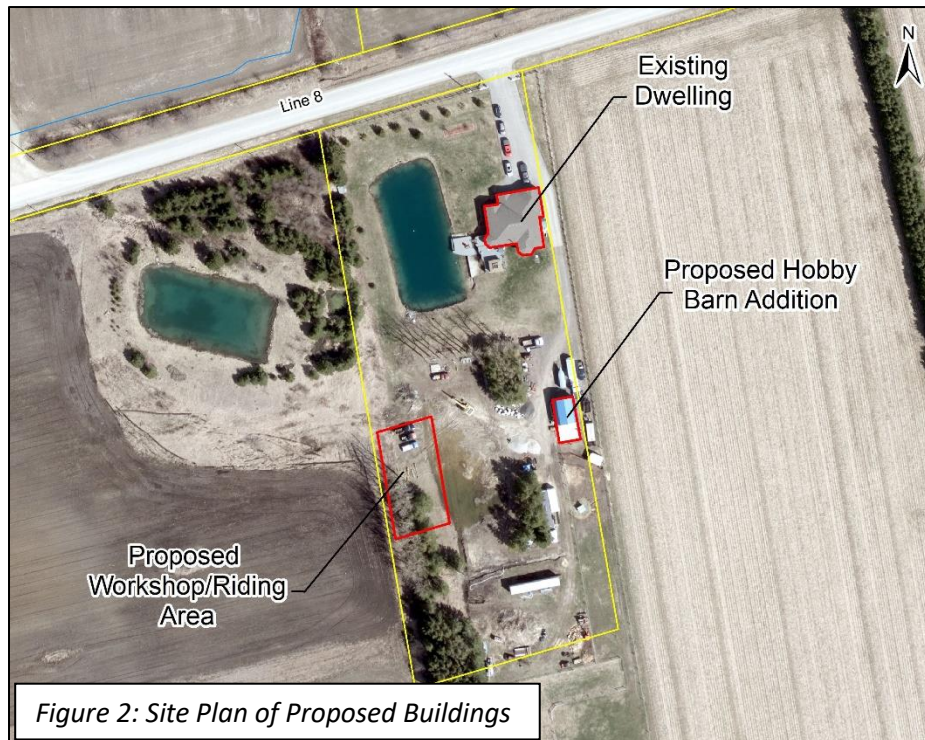
PROPOSAL

The purpose of this application is to provide relief from from the maximum floor area, maximum height and reduced side yard setback requirements for an accessory structure/riding arena, and to provide relief from the maximum



Figure 1: 2020 Aerial Photo, Source Wellington Explore

floor area for a hobby barn addition. The applicant is proposing to build a personal garage/riding arena with a total floor area of 647 m² (6,960 ft²), a height of 25 ft (7.62 m) and a reduced side yard setback of 2 m (6.6 ft). The applicants are also proposing to construct an addition to the existing hobby barn with a total floor area of 96 m² (1034 ft²). (See Figure 2 below).



WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURE. Permitted uses in the prime agricultural area include single detached dwellings and accessory buildings. The hobby barn is considered as an accessory building. 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-43). The site-specific zone permits a fish hatchery which is no longer existing/operating on the subject lands. The applicant is proposing to construct a new workshop/riding arena and an addition to the hobby barn and requires the following variance:

Workshop/Riding Arena	Permitted	Proposed	Difference
Height, Maximum Section 6.1.3 b	6.7 m (22 ft)	7.62 m (25 ft)	0.92 m (3 ft)
Lot Coverage Section 6.1.4 b	269.4 m ² (2,900 ft ²)	647 m ² (6,960 ft ²)	377.6 m ² (4,060 ft ²)
Interior Side Yard, Minimum Accessory Building Section 8.2.4 b	3 m (9.8 ft)	2m (6.6 ft)	1m (3.2 ft)

Interior Side Yard, Minimum Livestock building Section 8.2.4 c	18.3 m (60 ft)	2 m (6.6 ft)	16.3 m (53.4 ft)
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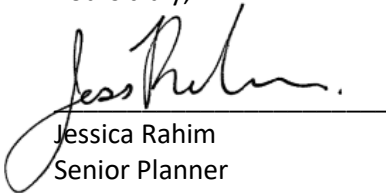
Hobby Barn	Permitted	Proposed	Difference
Ground Floor Area, Maximum Section 8.3.1	37.2 m ² (400.4 ft ²)	96 m ² (1,034 ft ²)	58.8 m ² (634.6 ft ²)

As per the Zoning By-law, an accessory building is to be used for a purpose incidental, subordinate and exclusively devoted to the main building. It is understood that the proposed garage is to be used for personal storage and any further uses beyond the aforementioned will be required to comply with the Zoning By-law.

With respect to the impact, the property is surrounded by large farm uses with existing livestock facilities. There are no rural residential uses in proximity that may be impacted. It is also noted that the proposed 2 m (6.6 ft) setback should still allow for maintenance of the building.

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

Yours truly,



Jessica Rahim
 Senior Planner



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

May 14, 2024

via email

GRCA File: A03-24 – 8343 Line 8

Tammy Pringle
Township of Wellington North
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Ms. Pringle,

Re: Application for Minor Variance A03/24
8343 Line 8, Township of Wellington North
Dale Eastep

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted minor variance application.

Recommendation

The GRCA has no objection to the proposed minor variance application.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 41/24, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains a watercourse, regulated waterbody, and the regulated allowance adjacent to these features. A copy of GRCA's resource mapping is attached.

Due to the presence of the features noted above, a portion of the subject property is regulated by the GRCA under Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.

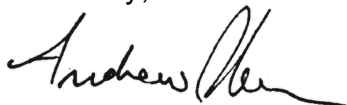
The proposed minor variance application requests relief from the required side yard setback, maximum floor area, and height provisions to facilitate the construction of an accessory structure and hobby barn addition. The proposed development is located outside of the GRCA's regulation limit and GRCA staff do not anticipate any impacts to the natural hazard features as a result of the proposed development. As such, the GRCA has no objection to the minor variance application.

Based on our review of the circulated plan, the proposed barn addition and accessory building will not require a GRCA permit under Ontario Regulation 41/24.

Consistent with GRCA's 2024 approved fee schedule, this application is considered a 'minor' minor variance and the applicant will be invoiced in the amount of \$300.00 for the GRCA's review of this application.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,



Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Owner – Dale Eastep (via regular mail)
Applicant – Cleon Martin (via email)



8343 Line 8

Line 8

Proposed Addition

Proposed Accessory Building

Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
 - Steep
 - Oversteep
 - Toe
- Slope Valley (GRCA)
 - Steep
 - Oversteep
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel (Wellington)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Conservation Area Boundary (GRCA)

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. The source for each data layer is shown in parentheses in the map legend. See Sources and Citations for details.

grca

