



arena with a total floor area of 647 m<sup>2</sup> (6,960 ft<sup>2</sup>), 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 m<sup>2</sup> (1,034 ft<sup>2</sup>). 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

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 m<sup>2</sup> (6,960 ft<sup>2</sup>), 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 m<sup>2</sup> (1034 ft<sup>2</sup>).

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.

## **PROPOSAL**

The purpose of this 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 build a personal garage/riding arena with a total floor area of 647 m<sup>2</sup> (6,960 ft<sup>2</sup>), 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 m<sup>2</sup> (1034 ft<sup>2</sup>).

## **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:

<b>Workshop/Riding Arena</b>	<b>Permitted</b>	<b>Proposed</b>	<b>Difference</b>
<b>Height, Maximum</b> Section 6.1.3 b	6.7 m (22 ft)	7.62 m (25 ft)	0.92 m (3 ft)
<b>Lot Coverage</b> Section 6.1.4 b	269.4 m <sup>2</sup> (2,900 ft <sup>2</sup> )	647 m <sup>2</sup> (6,960 ft <sup>2</sup> )	377.6 m <sup>2</sup> (4,060 ft <sup>2</sup> )
<b>Interior Side Yard, Minimum Accessory Building</b> Section 8.2.4 b	3 m (9.8 ft)	2m (6.6 ft)	1m (3.2 ft)
<b>Interior Side Yard, Minimum Livestock building</b> Section 8.2.4 c	18.3 m (60 ft)	2 m (6.6 ft)	16.3 m (53.4 ft)

<b>Hobby Barn</b>	<b>Permitted</b>	<b>Proposed</b>	<b>Difference</b>
<b>Ground Floor Area, Maximum</b> Section 8.3.1	37.2 m <sup>2</sup> (400.4 ft <sup>2</sup> )	96 m <sup>2</sup> (1,034 ft <sup>2</sup> )	58.8 m <sup>2</sup> (634.6 ft <sup>2</sup> )

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.

#### **CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Letter dated May 14, 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

Dale Eastep, Applicant, was present and advised the proposed shop/riding arena would be 60 feet deep by 120 feet long and the structure would be split in the middle with a solid concrete wall and insulated divide. The workshop would be 60'x60' and the riding arena would be 60'x60'. This design would permit them to share the heating from the shop to the riding arena. They currently have two horses, four sheep and a couple goats. The current hobby barn has a small space for animals, space for the stairs, and storage for hay and feed. The expansion to the barn would allow them to have enough room for the horses during inclement weather. There is a concrete pad outside the barn and they would like to extend the barn over the pad.

Cleon Martin, Agent for the Applicant, was present.

## COMMENTS/QUESTIONS FROM THE COMMITTEE

Chair Lennox inquired if the barn addition will exceed the five nutrient units. Mr. Martin responded that the addition will not exceed the five nutrient units.

Member McCabe asked if the two smaller outbuildings shown on the map are still standing, or, are they trailers. Mr. Eastep explained one is a trailer that was removed, and the other is a storage container. The previous owners had erected a twenty by thirty tarped shed but it was recently destroyed by a wind storm and it will not be replaced. It was close to the trailer on the map towards the bottom of the property.

Chair Lennox commented that we are proposing conditions that these buildings cannot be used for human habitation and questioned if the property is eligible for an ARU. CBO advised it is eligible, but because of the nature of the proposed construction it would not conform for human habitation. If they wanted an additional residential unit it would have to be in the existing house or a different dwelling.

## DECISION

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 m<sup>2</sup> (6,960 ft<sup>2</sup>) be permitted whereas the By-law allows a maximum of 269.4 m<sup>2</sup> (2,900 ft<sup>2</sup>);**
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 m<sup>2</sup> (1,034 ft<sup>2</sup>) be permitted, for a proposed hobby barn addition, whereas the By-law permits 37.2 m<sup>2</sup> (400.4 ft<sup>2</sup>).**
6. **THAT the accessory structure is used only for personal storage**
7. **THAT the accessory structure cannot be used for business purposes or habitation.**

APPROVED

## ADJOURNMENT

RESOLUTION: COA 008-2024

Moved: Burke

Seconded: McCabe

THAT the Committee of Adjustment meeting of May 21, 2024 be adjourned at 7:34 p.m.  
CARRIED

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**CHAIRPERSON**

DocuSigned by:  
*Karen Wallace*  
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**SECRETARY TREASURER**