

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT  
JULY 8, 2024 @ 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/84972325088>

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: 849 7232 5088

**PAGE  
NUMBER**

**CALLING TO ORDER**

**DISCLOSURE OF PECUNIARY INTEREST**

A05/24 Pinestone Construction Inc.

**MINUTES OF PREVIOUS MEETING**

Committee of Adjustment, June 24, 2024 (A04/24)

3

Recommendation:

THAT the Committee of Adjustment meeting minutes of June 24, 2024 – A04/24 be adopted as presented.

**APPLICATION**

A05/24 – Pinestone Construction Inc.

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Plan 61M255 Lot 21 and is municipally known as 210 Schmidt Dr. The property is approximately 469 m<sup>2</sup> (0.12 ac) in size. The location of the property is shown on the map attached.

6

**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 5.59 m (18.3 ft) whereas the By-law requires a minimum width of 6 m (19.6 ft) in order to park 2 vehicles. The applicants are proposing to add an additional dwelling unit and require one additional permanent parking space. 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 18, 2024.

## PRESENTATIONS

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

- Planning Report dated June 28, 2024 7

## CORRESPONDENCE FOR COMMITTEE'S REVIEW

Danielle Fisher, Source Protection Coordinator, Wellington Source Water Protection

- Email dated June 19, 2024 (No Objections) 10

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Email dated June 27, 2024 (No Objections) 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 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 A05/24, for the property described as Plan 61M255 Lot 21 with a civic address of 210 Schmidt Drive, to provide the following relief;

1. **THAT a reduced width of 5.59 m (18.3 ft) be permitted, for a private garage to allow for an additional permanent parking space for an additional residential unit (attached), whereas the By-law requires 6.0 m (19.6 ft).**

## ADJOURNMENT

Recommendation:

THAT the Committee of Adjustment meeting of July 8, 2024 be adjourned at \_\_\_\_\_ .

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
HEARING MINUTES OF THE COMMITTEE OF ADJUSTMENT - JUNE 24, 2024  
CLOSED SESSION AT 7:00 P.M. , FOLLOWED BY OPEN SESSION  
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH  
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING  
<https://www.youtube.com/watch?v=XT3WRyPzcZE>**

**Members Present:**  
**Chair:** Andrew Lennox  
**Members:** Sherry Burke  
Lisa Hern  
Steve McCabe  
Penny Renken

**Staff Present:**  
**Chief Administrative Officer:** Brooke Lambert  
**Alternate Secretary Treasurer:** Catherine Conrad  
**Executive Assistant to CAO:** Tasha Grafos  
**Chief Building Official:** Darren Jones  
**Senior Project Manager:** Tammy Stevenson  
**Manager Community & Economic Development:** Mandy Jones  
**Recreation Service Manager:** Tom Bowden  
**Manager of Development Planning:** Curtis Marshall

#### **CALLING TO ORDER**

Chair Lennox called the hearing to order.

#### **DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest declared.

#### **MINUTES OF PREVIOUS MEETING**

Committee of Adjustment, May 21, 2024 (A03/24)

RESOLUTION: COA 009-2024

Moved: Hern

Seconded: Renken

THAT the Committee of Adjustment meeting minutes of May 21, 2024 – A03/24 be adopted as presented.

CARRIED

#### **APPLICATION**

A04/24 – John Wheeler

**THE LOCATION OF THE SUBJECT PROPERTY** is described as WEST LUTHER Concession 7, Part Lot 10; RP 61R11923 PART 1 and is Municipally known as 8420 Line 6, Damascus, Wellington North. The property is approximately 3.15 ha (7.8 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to permit an accessory dwelling unit (ADU) to be a distance of 88 m (288.7 ft) from the main dwelling, which exceeds the maximum permitted setback of 60 m (278.9 ft). The applicants are proposing to

construct an ADU in an existing detached garage on the subject lands. 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 6, 2024.

### **PRESENTATIONS**

Curtis Marshall, Manager of Development Planning, presented the report prepared by Jessica Rahim, Senior Planner and Jamie Barnes, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated June 14, 2024

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

Jessica Conroy, Resource Planner, Grand River Conservation Authority

- Letter dated June 17, 2024 (Deferral Requested)

### **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**

John Wheeler, Applicant, requested that the GRCA visit the property to assess the distance from the waterway to the building. There is a farm exit on the neighbouring property, that could be used to access Wellington Road 16. The waterway is for drainage of farm field and has a six-inch pipe that extends one mile past his property. The property is higher than others in Damascus and he thinks it is almost impossible that it would flood.

Mr. Jones clarified that the GRCA is requesting deferral; and that Township staff have recommended approval with a condition of approval by the GRCA. This would be the same as a deferral but would save the process of coming back to the Committee for approval. A building permit would not be issued without GRCA approval.

Steven Wheeler, son of the Applicant, inquired if the Township could support the site and request that the GRCA attend the site. Chair Lennox explained that the Township would be hesitant to interfere. The recommendation for this application is to approve it with a condition of GRCA approval.

### **COMMENTS/QUESTIONS FROM THE COMMITTEE**

Chair Lennox inquired if the site-specific commercial zoning for the building that permits a propane tank refurbishing business would continue. Mr. Jones commented that the building for commercial use burnt down and was replaced with an accessory to residential building. It was not built as a commercial or industrial building, but it is in that zone. That use could continue under the zoning, but not under the building code. The two uses would not be permitted together in one building without major renovations and building permit approval. Staff have discussed the site-specific

zoning with the applicant, and the site-specific zone will be removed with a future housekeeping amendment.

Chair Lennox asked for clarification regarding other access to the property. It was explained that the access would be through the neighbouring farmland.

## **DECISION**

### **CALL FOR VOTE: SHOW OF HANDS**

THAT the minor variance applied for in Application A04/24, for the property described as WEST LUTHER Concession 7, Part Lot 10, RP 61R11923 PART 1, with a civic address of 8420 Line 6, to provide the following relief;

1. **THAT a increased distance from the main dwelling of 88 m (288.7 ft) be permitted, for an Additional Dwelling Unit (detached) accessory building, whereas the By-Law requires 60 m (196.8 ft).**
2. **THAT this approval is conditional upon Grand River Conservation Authority approval.**

APPROVED

## **ADJOURNMENT**

RESOLUTION: COA 010-2024

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting of June 24, 2024 be adjourned at 8:10 p.m.

CARRIED

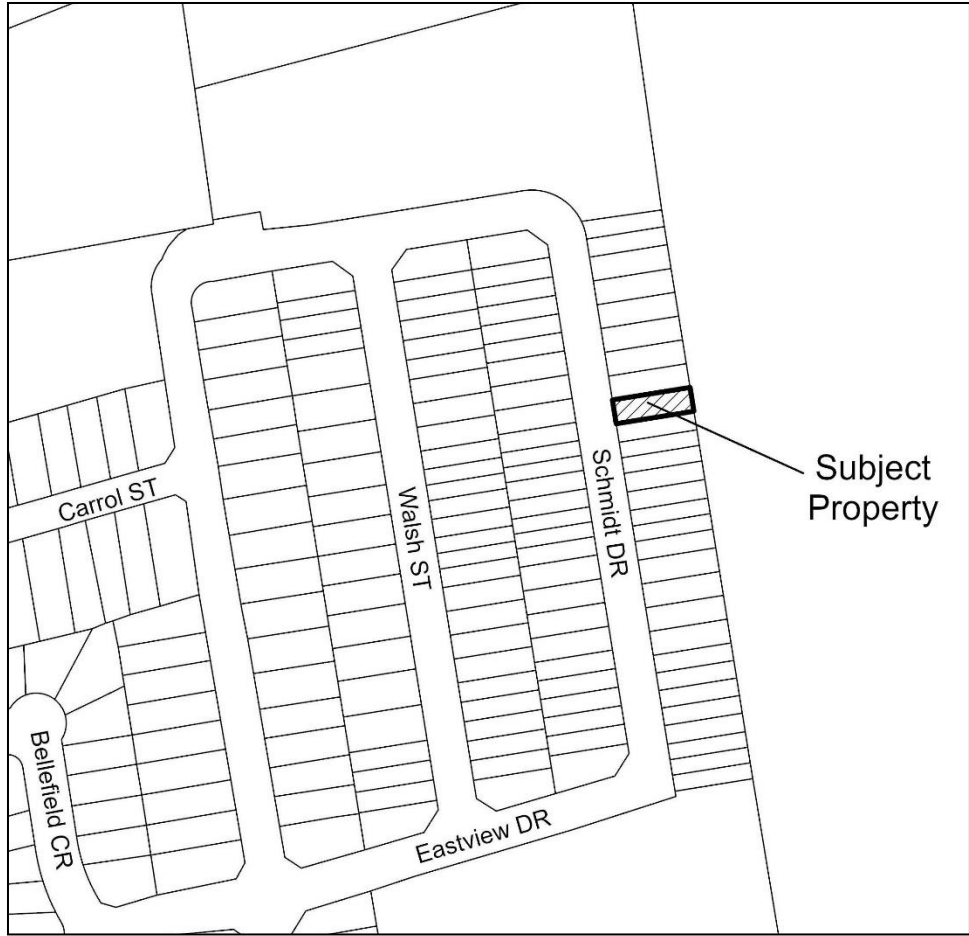
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**CHAIRPERSON**

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**SECRETARY TREASURER**

**A05/24 PINESTONE CONSTRUCTION – 210 SCHMIDT DR.**





## 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

June 28<sup>th</sup>, 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 A05/24**  
**Plan 61M255 Lot 21**  
**210 Schmidt Dr, Arthur**  
**Pinestone Construction Inc.**

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 width for a private garage. The applicant is proposing a 5.59 m (18.3 ft) wide private garage, whereas the Zoning By-law requires a minimum garage width of 6.0 m (19.6 ft) in order to park 2 vehicles. The applicants are proposing to construct a single detached dwelling with an additional residential unit. As a result, an additional permanent parking space is required.

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 61M255 Lot 21 and is municipally known as 210 Schmidt Dr., Arthur. The property is approximately 469 m<sup>2</sup> (0.12 ac) in size. The location of the property is shown on Figure 1.

### PROPOSAL

The purpose 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 5.59 m (18.3 ft) whereas the

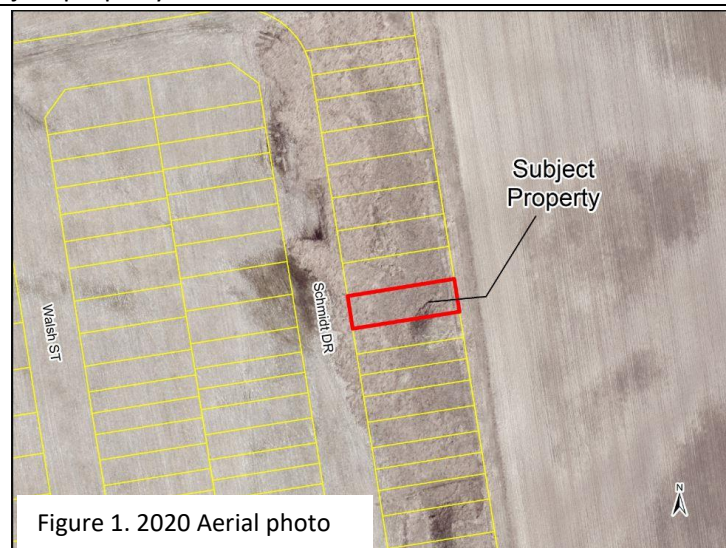


Figure 1. 2020 Aerial photo

Zoning By-law requires a minimum width of 6 m (19.6 ft) in order to park 2 vehicles. The applicants are proposing to add an additional dwelling unit and require one additional permanent parking space. A site plan was provided with the application and is shown in Attachment 1.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated RESIDENTIAL and located within the Primary 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.

Section 4.4.6 of the Plan establishes policies specific to Additional Residential Units (ARU's). Section 4.4.6.1 further establishes policies permitting one ARU within the Main Residence. Local municipalities shall enact zoning provisions and should considered the following: "a) that safe road access can be provided; c) that adequate off-street parking can be provided on site for both the main residence and additional residential unit; d) that any exterior alterations to the main residence, necessary to accommodate the Additional Residential Unit, are minimized to reduce visual impacts on the streetscape; e) that adequate amenity areas are provided for the main residence and Additional Residential Unit".

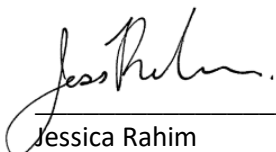
**TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW**

The subject property is zoned Medium Density Residential (R2). The applicant is proposing to add an additional residential unit and requires an additional permanent parking space. The applicant is proposing to construct a 5.59 m (18.3 ft) wide private garage to park two vehicles and requires the following variance:

<b>Parking Regulations</b>	<b>Required Width</b>	<b>Proposed Width</b>	<b>Difference</b>
<b>Size of Parking Spaces</b> (Section 6.27.1)	6.0 m (19.6 ft)	5.59 m (18.3 ft)	0.41 m (1.3 ft)

The variance requested is minor and appropriate for the use of the lot. The applicant is proposing to construct a single detached dwelling with an ARU and as a result, an additional permanent parking space is required. The proposed private garage would remain large enough in size to park two vehicles despite the reduction in width and as a result, will not create a reliance on off-street parking. Further, the proposed garage width allows the proposed dwelling to meet required side yard setbacks outlined in Section 12.2.1 of the Zoning By-law. 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.

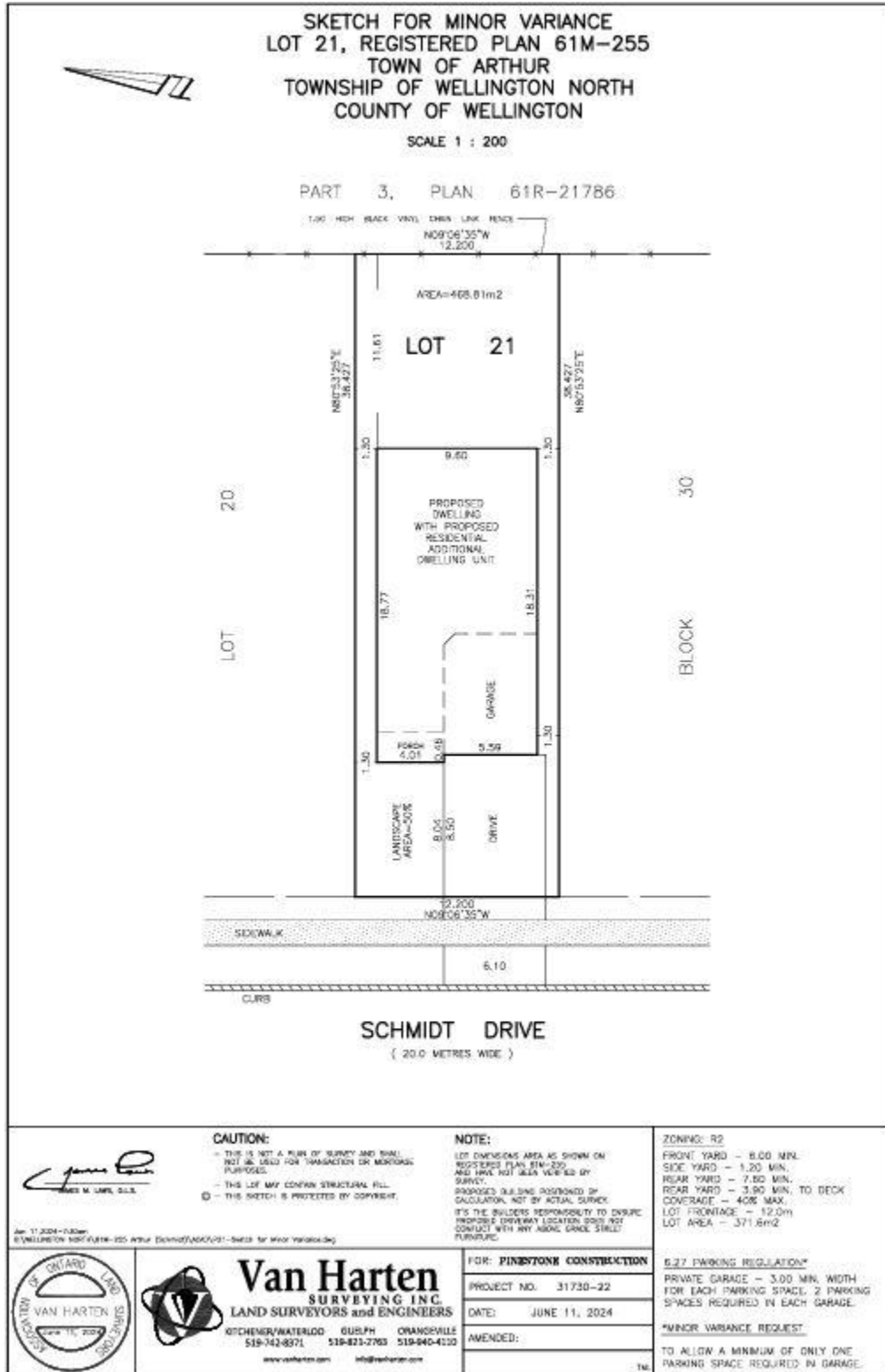
Yours truly,



\_\_\_\_\_  
Jessica Rahim  
Senior Planner



Attachment 1 – Application Site Plan



 JAMES M. VAN HARTEN, S.L.S. JUN 11, 2024 - 1:00pm 61WELLINGTON N82°32'25"E Arth. Schmidt/61M/255 - Sketch for Minor Variance	<p><b>CAUTION:</b></p> <ul style="list-style-type: none"> <li>- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MATTERS PERTAINING THEREON.</li> <li>- THIS LOT MAY CONTAIN STRUCTURAL PILL.</li> <li>Ⓢ - THIS SKETCH IS PROTECTED BY COPYRIGHT.</li> </ul>	<p><b>NOTE:</b></p> <p>LOT DIMENSIONS AREA AS SHOWN ON REGISTERED PLAN 61M-255 AND ARE NOT BEING VERIFIED BY SURVEY.</p> <p>PROPOSED DWELLING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.</p> <p>IT'S THE BUILDERS RESPONSIBILITY TO ENSURE PROPOSED DRIVEWAY LOCATION DOES NOT CONFLICT WITH ANY ABOVE GROUND STREET FURNITURE.</p>	<p><b>ZONING: R2</b></p> <p>FRONT YARD - 8.00 MIN.                  SIDE YARD - 1.20 MIN.                  REAR YARD - 7.00 MIN.                  REAR YARD - 3.00 MIN. TO DECK                  COVERAGE - 40% MAX.                  LOT FRONTAGE - 12.0m                  LOT AREA - 371.6m<sup>2</sup></p>
 <p><b>Van Harten</b>                  SURVEYING INC.                  LAND SURVEYORS and ENGINEERS</p> <p>KITCHENER/WATERLOO GUELPH ORANGEVILLE                  519-742-8371 519-823-7763 519-840-4130</p> <p>www.vanharten.com info@vanharten.com</p>	<p><b>FOR: PINESTONE CONSTRUCTION</b></p> <p>PROJECT NO. 31730-22</p> <p>DATE: JUNE 11, 2024</p> <p>AMENDED:</p>	<p><b>5.27 PARKING REGULATION*</b></p> <p>PRIVATE GARAGE - 3.00 MIN. WIDTH FOR EACH PARKING SPACE, 2 PARKING SPACES REQUIRED IN EACH GARAGE.</p> <p><b>*MINOR VARIANCE REQUEST</b></p> <p>TO ALLOW A MINIMUM OF ONLY ONE PARKING SPACE REQUIRED IN GARAGE.</p>	

## Tammy Pringle

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**From:** Source Water <sourcewater@centrewellington.ca>  
**Sent:** June 19, 2024 3:15 PM  
**To:** Tammy Pringle  
**Cc:** Source Water; wellington+314888@lswims.ca  
**Subject:** RE: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A05/24 210 Schmidt Dr  
**Attachments:** WHPA\_Map\_SchmidtDr\_210.pdf

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*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

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 Fisher | Source Protection Coordinator

Wellington Source Water Protection | 1 MacDonald Square, Elora, ON, N0B 1S0  
519.846.9691 x236 | [DWalker@centrewellington.ca](mailto:DWalker@centrewellington.ca) | [www.wellingtonwater.ca](http://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.

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**From:** Tammy Pringle <tpringle@wellington-north.com>  
**Sent:** Monday, June 17, 2024 11:52 AM  
**Subject:** NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: A05/24 210 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

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

**A05/24**

**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, July 8, 2024 @ 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/84972325088>

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: 849 7232 5088

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 Plan 61M255 Lot 21 and is municipally known as 210 Schmidt Dr. The property is approximately 469 m<sup>2</sup> (0.12 ac) in size. The location is shown on the map below.

**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 5.59 m (18.3 ft) whereas the By-law requires a minimum width of 6 m (19.6 ft) in order to park 2 vehicles. The applicants are proposing to add an additional dwelling unit and require one additional permanent parking space. 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

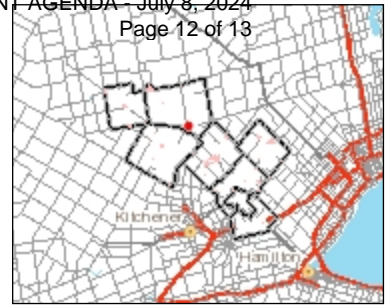
**Stronger together since 1999**



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210 Schmidt Drive, Arthur



Legend

- Parcels
- Roads**
  - Local Road
  - County Road
  - Highway
- Well Locations**
  - Existing
  - Proposed
- Issue Contributing Area**
  - Chloride
  - Nitrate
  - Sodium
  - TCE
- Wellhead Protection Area**
  - A
  - B
  - C
  - D
- Vulnerability Score**
  - 10
  - 8, D; 8; 8, C
  - 2, 4, 6 (A, B or C)
  - 2,4,6, D; 2,4, D; 2, 4, 6 (D); 4, D; 6,
- HVA
- RoadsLookup

1: 361

0.0 0 0.01 0.0 Kilometers

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Notes

## Tammy Pringle

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**From:** Andrew Herreman <aherreman@grandriver.ca>  
**Sent:** June 27, 2024 11:03 AM  
**To:** Tammy Pringle  
**Subject:** GRCA Comments - A05/24 - 210 Schmidt Drive

Hi Tammy,

The subject property at 210 Schmidt Drive is not regulated by the Grand River Conservation Authority under Ontario Regulation 41/24. As such, we will not be providing comments on this application.

Sincerely,

**Andrew Herreman, CPT**  
Resource Planning Technician  
Grand River Conservation Authority

400 Clyde Road, PO Box 729  
Cambridge, ON N1R 5W6  
Office: 519-621-2763 ext. 2228  
Toll-free: 1-866-900-4722

Email: [aherreman@grandriver.ca](mailto:aherreman@grandriver.ca)  
[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)