



**Minutes of the Town of Erin  
Committee of Adjustment Meeting**

**April 19<sup>th</sup>, 2022  
6:00 PM  
Remote Participation**

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Liz Crighton	Member
	Brad Bruce	Member
<b>Staff Present:</b>	Lisa Campion	Secretary-Treasurer

**Application:** A02-22, A03-22, A04-22, A05-22

**1. Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67.

The Chair stated that the purpose of the meeting is to provide information and allow the Committee to exchange views, generate input and that the Committee has not taken a position on the matter. The Chair then stated that the Committee's decision will come after full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process to the applicant, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Board, there are reasonable grounds to do so.

**2. Approval of the Agenda**

**Moved By:** Member Parkinson  
**Seconded By:** Member Crighton

**Be it resolved that** the agenda be approved as circulated.

**Carried**

3. **Disclosure of Pecuniary Interest**  
 None.

4. **Requests for withdrawal or deferral of Applications**  
 None.

5. **Notice**

Notice was given by mail on April 6, 2022 to every owner of land within 60 meters (200 ft) of each subject property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notices were issued on the Town's Website.

The Secretary Advised that the agencies circulated included Credit Valley Conservation Authority, Grand River Conservation Authority, the County of Wellington, the Ministry of Agriculture, Food & Rural Affairs, the Ministry of Transportation, the four school boards, Union Gas and Town Staff.

6. **Application**

**6.1. File Number: A02-22 5167 Fourth Line**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 5.2 Table 4 of the Towns Zoning By-law which provides a minimum lot frontage of 30.0m. The requested variance is to permit a minimum lot frontage of 12.0m.

**6.1.1 Planning Report**

**Town of Erin – Planning Department**

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variance.

**6.1.2 Correspondence**

County of Wellington

The subject lands are designated as Secondary Agriculture and Core Greenlands in the County Official Plan. Staff note that the proposed variance is to satisfy condition of severance (B102/20) that was conditionally approved at the February 2021 Land division Committee Meeting. Comments received from Grand River Conservation Authority should be considered by the Township when reviewing this proposal. Overall, Staff do not have any concerns with the proposed Minor Variance Application.

Town of Erin Infrastructure Services

As of the date of this report, no comments received.

Town of Erin Building Services

No objections to the variance.

Town of Erin Fire Services

As of the date of this report, no comments received.

Grand River Conservation Authority

The GRCA has no objection to Minor Variance Application A02-22. An Environmental Impact Study (EIS) dated September 2021 was completed by Beacon Environmental for the above noted property and the information provided indicated that all proposed infrastructure (grading and construction) can be located more than 30 metres from the wetland area. The GRCA is satisfied with the information provided as it relates to the evaluation of features and physical changes proposed.

GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with the County of Wellington 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 proposed severed parcel is within the lands adjacent to a wetland feature. Due to the presence of the above-noted features, the severed parcel is regulated by the GRCA under the Development, Interference with Wetland and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development or site alteration on the subject property will require a permit from our office.

Under Section 8, Table 2 of the EIS (Beacon Environmental, September 2021) for the Province of Ontario Growth Plan, the lot lines have been noted as within 30 metres of a wetland. As previously stated on comments for Consent Application B102-20, we are deferring comment to the County on the application of Growth Plan Policies.

### 6.1.3 Comments

Mr. Finnie spoke to the purpose and effect of the application.

### 6.1.4 Decision of the Committee

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approve the Minor Variance Application A02/22 because the application meets the following criteria

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-law is maintained;
- The variance is considered desirable for the appropriate development;
- In the opinion of the Committee the variance is minor.

**Carried**

### 6.2 File Number A03/22 5882 Eighth Line

The purpose and effect of the application is to provide relief from Zoning By-law 07-67 as amended to permit:

- An accessory structure unit that is 140m<sup>2</sup> in size, whereas the By-law requires a maximum floor area to not exceed the lesser of 45 percent of the floor area of the principle dwelling unit or 92.9m<sup>2</sup>;
- A separate driveway to access the accessory dwelling unit; whereas the By-law requires the driveway access to both the main dwelling and

accessory dwelling unit be limited to one so that no new entrance from the street shall be created;

- An accessory dwelling unit in front of the main dwelling, whereas the By-law requires the accessory building shall be located to the rear of the front of the main dwelling;
- An accessory building located up to 133 metres from the main dwelling, whereas the By-law requires the accessory building to be located within 15 m of the single detached dwelling on the lot; and
- Accessory building on this lot prior to the construction of the main building, whereas the By-law states no accessory building or accessory use shall be established on any lot or site until the main building has commenced construction.

### 6.2.1 Planning Report

#### **Town of Erin – Planning Department**

It is Planning Staff's opinion that these variances are minor in nature, desirable for the appropriate development of land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variances.

### 6.2.2 Correspondence

#### County of Wellington

The subject lands are designated as Second Agriculture, Core Greenlands and Greenlands in the County Official Plan. Identified features include Significant Wooded Area, Subwatershed Priority Area, and Hazard Lands. The lands are designated as Prime Agricultural in the Provincial Growth Plan, and are included in the Natural Heritage System and Protected Countryside of the Provincial Greenbelt Plan.

Section 4.5.3 of the Greenbelt Plan permits second dwellings within existing structures outside of the NHS of the Greenbelt.

Within the Secondary Agricultural designation in the County of Wellington Official Plan, accessory residential uses are permitted, subject to Section 4.4.6. The policies in the county Official Plan allows for a second unit within a building or structure that is ancillary to a single detached dwelling, subject to (but no limited to) the following criteria being met:

- The establishment of an Additional Residential Unit does not require the creation of an additional driveway access;
- The unit is located within the main building cluster;
- Is clearly secondary to the primary dwelling; and
- That minimum distance separation has been reviewed;
- The Town will need to be satisfied that this proposal can appropriately meet Provincial Policy and the County Official Plan's policy direction, and will maintain the intent of the purpose of these policies.

County of Wellington Works

No comments.

Town of Erin Infrastructure Services

As of the date of this report, no comments received.

Town of Erin building Services

No comments.

Town of Erin Fire Services

As of the date of this report no comments received

Credit Valley Conservation Authority

The subject property is regulated due to the presence of the Alton Hillsburgh Provincially Significant Wetland Complex and the West Credit River and its associated floodplain and valley slope. Additionally, the property falls within the Alton Swamp Complex Environmentally Significant Area (ESA), a Wellhead Protection Area (WHPA), the Erin Greenlands, the Greenbelt Natural Heritage System (NHS) and the Credit River Watershed NHS.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourse Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shorelines, river and stream valleys, hazardous lands and

wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

The proposed works are located outside of the Regulated Area, and therefore a CVC permit is not required for the works proposed. The applicant is to note that the subject property is located within the CVC Regulated Area and to consult with CVC for any future applications.

Please circulate CVC on any future correspondence regarding this application.

#### Wellington Source Water Protection

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.

### **6.2.3 Comments**

The applicant spoke to the purpose and effect of the application.

### **6.2.4 Decision of Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approve the Minor Variance Application A03/22 because the application meets the following criteria

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-law is maintained;
- The variance is considered desirable for the appropriate development;

In the opinion of the Committee the variance is minor.

### **6.3 File Number A04/22 5882 Eighth Line**

The purpose and effect of the application is to provide relief from Section 4.1.1.4 of the Towns Zoning By-law which provides that the maximum floor

area shall not exceed the lessor of 45 percent of the floor area of the principal dwelling unit or 92.9 m<sup>2</sup>. The proposed variance is to permit an accessory dwelling unit that is 254 m<sup>2</sup> in size.

### **6.3.1 Planning Report**

#### **Town of Erin – Planning Department**

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance subject to the following conditions

1. That the proposed second floor and third additional residential unit is eliminated from the applicant's proposal;
2. That the maximum size of the proposed additional residential unit be 182 square metres; and
3. That the applicants obtain a building permit for the proposed addition.

### **6.3.2 Correspondence**

#### County of Wellington

The subject lands are designated as Secondary Agriculture, Core Greenlands and Greenlands in the County Official Plan. Identified features include Significant Wooded Area, and Hazard Lands. The lands are designated as Candidate Area in the Provincial Growth Plan, and are included in the Natural Heritage System and Protected Countryside of the Provincial Greenbelt Plan.

Section 4.5.3 of the Greenbelt Plan permits second dwellings within existing structures outside of the Natural Heritage System. The existing dwelling and proposed addition appears to be located outside of the NHS of the Greenbeld.

Within the Secondary Agricultural designation in the County of Wellington Official Plan, accessory residential uses are permitted, subject to Section 44.6. The policies in the County Official Plan allows for one second unit within the main residence subject to (but not limited to) the following criteria being met.



- The establishment of an Additional Residential Unit does not require the creation of an additional driveway access;
- The unit is located within the main building cluster;
- Is clearly secondary to the primary dwelling; and
- That minimum distance separation has been reviewed;

Staff note that a second accessory unit on the second floor has been included on the applicant's sketch. This additional unit should be removed to meet the permitted number to Additional Residential Units in the County's OP.

County of Wellington Works

No objections to this application

Town of Erin Infrastructure Services

As of the date of this report, no comments received.

Town of Erin building Services

No comments

Town of Erin Fire Services

As of the date of this report no comments received.

Credit Valley Conservation Authority

CVC staff have reviewed the application and the proposed development is setback sufficiently from natural features and hazards of concern. As such, CVC staff have no concerns and no objection to the approval of the requested variance by the Committee at this time.

The applicant should note that any changes to the previously approved plans and any future development proposed in the regulated area on this property will require prior approval from CVC.

**6.3.3 Comments**

The applicant spoke to the purpose and effect of the application.

#### **6.3.4 Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approve the Minor Variance Application A04/22 because the application meets the following criteria

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-law is maintained;
- The variance is considered desirable for the appropriate development;

In the opinion of the Committee the variance is minor.

And that the application be approved with the following conditions:

1. That the proposed second floor and third additional residential unit is eliminated from the applicant's proposal;
2. That the maximum size of the proposed additional residential unit be 182 square metres; and
3. That the applicants obtain a building permit for the proposed addition.

#### **6.4 File Number A05/22 5713 Tenth Line**

The purpose and effect of the application is to provide relief from Section 4.2.3 of the Town's Zoning By-law which provides that the building height of all other accessory buildings in the "A" zone shall not exceed 4.5m. This application is to permit an accessory building of 5.2m in height.

##### **6.4.1 Planning Report**

###### **Town of Erin – Planning Department**

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance.

## 6.4.2 Correspondence

### County of Wellington

The subject lands are designated as secondary Agriculture, Core Greenlands and Greenlands in the County Official Plan. The property is located in the Provincial Greenbelt plan and is designated as Natural Heritage System. Planning staff notes that the proposed variance would permit the construction of an accessory structure, and any comments from the conservation authority should be addressed. Overall, staff do not have any concerns with the proposed Minor Variance application.

### County of Wellington Works

No objections to this application

### Town of Erin Infrastructure Services

As of the date of this report, no comments received.

### Town of Erin building Services

No comments

### Town of Erin Fire Services

As of the date of this report no comments received.

### Credit Valley Conservation Authority

The subject property is regulated due to the presence of the West Credit River Provincially Significant Wetland Complex and the West Credit River and its associated floodplain. Additionally, the property falls within the Binkham Swamp Environmentally Significant Area (ESA), Erin Greenlands, the Greenbelt Natural Heritage System (NHS) and the Credit River Watershed NHS.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

The property is subjected to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands,

without the prior written approval of CVC (i.e. the issuance of a permit).

CVC staff have reviewed the minor variance application and the proposed development is setback sufficiently from the natural features and hazards of concern. CVC staff have reviewed the proposed development through a permit application (FF 22/062) and a CVC permit has been issued for the proposed garage. As such, CVC staff have no concerns and no objection to the approval of this minor variance by the Committee at this time.

The applicant should note that any changes to the previously approved plans and any future development proposed in the regulated area on this property will require prior approval from CVC.

#### **6.4.3 Comments**

The applicant spoke to the purpose and effect of the application.

#### **6.4.4 Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approve the Minor Variance Application A05/22 because the application meets the following criteria

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-law is maintained;
- The variance is considered desirable for the appropriate development

## **7 Adjournment**

**Moved By:** Member Oughtred

**Seconded By:** Member Crighton

**Be it resolved that** the meeting be adjourned at the hour 7:10 p.m.

**Carried**

Minutes from COA April 19, 2022

  
Chair Rob Fletcher

  
Secretary-Treasurer Lisa Campion



**Minutes of the Town of Erin  
Committee of Adjustment Meeting**

**May 18<sup>th</sup>, 2022  
6:00 PM**

**In-Person & Remote Participation**

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Brad Bruce	Member
<b>Absent</b>	Liz Crighton	Member
<b>Staff Present:</b>	Lisa Campion	Secretary-Treasurer

**1. Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following applications will be heard this evening: A06-22, A07-22, A08-22, A09-22 and A10-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**2. Approval of the Agenda**

**Moved By:** Member Bruce

**Seconded By:** Member Parkinson

**Be it resolved that the agenda be approved as circulated.**

**Carried**

**3. Disclosure of Pecuniary Interest**

Member Oughtred declared a potential pecuniary interest on Item Number 5, File Number A10-22 for 12 Orangeville Street, as a planner in his firm is representing the owners.

**4. Requests for withdrawal or deferral of Applications**

None.

**5. Notice**

Notice was given by mail on May 4, 2022 to every owner of land within 60 meters (200 ft) of each subject property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notices were issued on the Town's Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

**6. Application**

**6.1. File Number: A06/22 – 117 Bessey Court**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 4.2.2.2 of the Town's Zoning By-law which requires accessory buildings to be constructed a minimum of 1.2 metres from the rear and side lot lines. The requested variance is to permit a minimum setback of 0.7 of a metre from the rear and side lot line.

**6.1.1. Planning Report**

Town of Erin – Planning Department

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance.

**6.1.2. Correspondence**

Public Comments

Comments in support of this applicant were received from neighbours located at 109 and 125 Bessey Court in favour of the application.

County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

Credit Valley Conservation Authority

CVC staff have no concerns and no objection to the approval of the Minor Variance by the Committee at this time.

The applicant is to note that CVC approval is required for the development as proposed. Upon approval of the minor variance, please contact CVC directly for the next steps related to the CVC approval process.

**6.1.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

**Applicant**

The applicant participated in-person and explained a shed was built at the back corner of the property, with sufficient room to maintain the shed, landscape and all water run-off will remain on the property. There will be no impact on the neighbour. Relocating the shed could affect trees located on the property.

**Committee**

No questions or discussion.

**6.1.4. Decision of the Committee**

**Moved By:** Member Parkinson

**Seconded By:** Member Oughtred

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A06/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**



## 6.2. File Number: A07/22 – 5640 Second Line

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 4.22.1 of Erin's Zoning By-law 07-67 as amended to reduce the required Minimum Distance Separation Distance for new non-agricultural uses from 288 metres, to 198 metres.

### 6.2.1. Planning Report

#### Town of Erin – Planning Department

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance, subject to the following condition:

- That any dwelling erected on the severed lot maintains a setback of 220 metres from the Bank Barn located at 5639 Second Line.

### 6.2.2. Correspondence

#### County of Wellington – Planning Comments

Staff note that the proposed variance is to satisfy condition of severance (B5/22) that was conditionally approved at the March 2022 Land division Committee Meeting. Further, the reduction request is to a currently vacant barn but the farm data sheet indicates the potential capacity of 300 beef cows.

Overall, Planning staff have no comments or concerns with the proposed minor variance application.

#### Grand River Conservation Authority

GRCA staff previously provided comments on Application for Consent B5-22 related to this minor variance application. The variance is needed to satisfy Condition 14 of the conditionally approved consent application. Further to our related comments, GRCA staff have no objection to the approval of the above-noted application by the Town of Erin.

### 6.2.3. Comments

No member of the public has registered to participate this evening.

*The Chair asked that the agent speak to the application:*

**Agent**

The agent participated remotely and explained this variance was required as a condition of consent. The variance would reduce the setback required between the barns and the proposed new lot.

*The Chair asked that the applicant speak to the application:*

**Applicant**

The applicant participated in-person and explained that this new lot is for his son, to construct a single detached dwelling.

**Committee**

Discussion regarding the current use of the neighbouring farm and likelihood of housing livestock in the barn is low.

**6.2.4. Decision of the Committee**

**Moved By:** Member Bruce

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A07/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor,

subject to the following condition:

- That any dwelling erected on the severed lot maintains a setback of 220 metres from the Bank Barn located at 5639 Second Line.

**Carried**

**6.3. File Number: A08/22 – 5555-5567 Fourth Line**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the Towns Zoning By-law, as amended by By-law 10-54, to permit:

- a day camp, defined as a public or privately operated facility which provides outdoor education and recreation; whereas the By-law permits a summer day camp;
- a day camp to operate all year long, whereas the By-law permits a summer camp to operate from June 15th to September 15th; and
- all ages at the camp, whereas the By-law permits the maximum age of camp participants, exclusive of staff, to 14 years of age.

### 6.3.1. Planning Report

#### Town of Erin – Planning Department

It is Planning Staff's opinion that these variances do not meet the intent and purpose of Erin's Official Plan and Zoning By-law, is not minor in nature and therefore recommends **Refusal** of the application.

Should the Committee consider **approval** of the proposed variances, it is recommended that the approval be subject to the following condition:

- That the day camp operate at 50% capacity from September 16<sup>th</sup> to June 14<sup>th</sup>, and 100% capacity from June 15<sup>th</sup> to September 15<sup>th</sup>.

### 6.3.2. Correspondence

#### Public Comments

Letters in support from 9 residents.

Petition submitted in support with 261 signatures.

#### County of Wellington – Planning Comments

Section 6.5.3 of the County Official Plan permits small scale commercial, industrial and institutional uses, subject to criteria identified in Section 6.5.4. The proposed application is to permit a seasonal day camp all year long and remove the permitted months of operation (June 15th thru Sept 15th) with no age limit. The intent of placing limits on the seasonal use of the camp is to ensure the use remains small scale and remains compatible with the surrounding Agricultural Area.

The requested relief is substantial in nature and there is a concern regarding consistency with the County Official Plan criteria set out in Section 6.5.4 based on the proposed adjustments. Staff are of the opinion that the requested changes would be more appropriately

considered through the Zoning By-law amendment process.

Grand River Conservation Authority

The minor variance application requests approval to permanently allow a day camp year round, with no age restrictions. The day camp use already exists on the property and no additional development is proposed at this time. GRCA staff do not anticipate any additional impacts on the adjacent wetlands as a result of this application.

The Grand River Conservation Authority (GRCA) has no objection to this minor variance application.

**6.3.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

**Applicant**

The applicant participated remotely and explained no changes have been made to this application since it was before the Committee 2-years ago. The applicant believes that Planning Staff's recommended condition is workable. The submitted traffic brief includes details on the proposed programming and supports the proposed variances.

**Committee**

Committee asked if any members of the public in attendance are in opposed.

**6.3.4. Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Bruce

**Be it resolved that** the Town of Erin Committee of Adjustment considers the requested variance to be minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore approves Minor Variance Application A08/22, subject to the following condition:

- That the day camp operate at 50% capacity from September 16th to June 14th, and 100% capacity from June 15th to September 15th.

**Carried**

#### **6.4. File Number: A09/22 – 5666 Winston Churchill Blvd**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 4.2.4.1 of the Towns Zoning By-law which requires accessory buildings or structures to have a maximum ground floor area of 116 square metres on lots 0.8 of a hectare in size or less. The applicant is requesting to construct an accessory structure with a maximum ground floor area of 223 square metres.

##### **6.4.1. Planning Report**

###### Town of Erin – Planning Department

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance.

##### **6.4.2. Correspondence**

###### County of Wellington – Planning Comments

The subject lands are designated as Secondary Agriculture and Greenlands in the County Official Plan and is located in the Natural Heritage System of the Provincial Greenbelt Plan. Identified features include a Credit Valley Conservation Authority (CVCA) regulated Subwatershed Environmental Priority Area. The proposed structure appears to be located within the Greenland designation. Any comments received from CVCA staff should be considered upon final approval. Planning staff note that the applicant has indicated the request for additional area is to accommodate storage of their personal vehicles indoors.

###### Credit Valley Conservation Authority

Based on our review of the application as submitted, CVC staff have no concerns and no objection to the approval of the Minor Variance by the Committee at this time. CVC staff have previously reviewed the proposed development and a CVC clearance (SP 22/Wilson) has been issued for the accessory structure.

As the proposed development is located adjacent to a natural heritage feature, CVC staff recommend that the buffer between the accessory structure and the natural heritage feature remain a no-mow zone and no grading should take place within this buffer. In

addition, Erosion and Sediment Control (ESC) fencing should be placed at the limit of development to protect tree root zones.

The applicant should note that any changes to the previously approved plans and any future development proposed in the regulated area on this property will require prior approval from CVC.

#### **6.4.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

#### **Applicant**

The applicant participated in-person and explained the purpose of the application. The applicant explained that the area is already cleared, and has received approval from the Credit Valley Conservation Authority. The proposed accessory building will be used to store equipment (i.e. boats, vehicles, lawn mower).

#### **Committee**

Committee asked if any members of the public in attendance are in opposed.

#### **6.4.4. Decision of the Committee**

**Moved By:** Member Parkinson

**Seconded By:** Member Oughtred

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A09/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

#### **6.5. File Number: A10/22 – 12 Orangeville Street**

Member Bill Oughtred left the room, as he declared a conflict of interest on this application.

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the Towns Zoning By-law 07-67, as amended by By-law 20-37, which requires a minimum lot area of 10,585 square metres within the R1-114 Zone. The applicant is requesting to correct this area to 1,585 square metres.

**6.5.1. Planning Report**

Town of Erin – Planning Department

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance.

**6.5.2. Correspondence**

County of Wellington – Planning Comments

The subject lands are designated Urban Center (Hillsburgh) in the County Official Plan. Staff note that the proposed minor variance is to correct an error in the By-law, in order to facilitate development of the subject lands. Overall, Staff do not have any concerns with the proposed Minor Variance Application.

Credit Valley Conservation Authority

The property is outside of CVC Regulated Area.

**6.5.3. Comments**

*The Chair asked that the Town Planner, Tanjot Bal, to speak to the application:*

**Town Planner**

The Town Planner participated in-person and provided a brief history of this site and the purpose of the minor variance. The Planner explained that the variance is required to correct an error made at the rezoning stage and that zoning compliance is a condition of approval for the consent application. No changes have been made to the application approved by Wellington County Land Division Committee.

*The Chair asked that the agent speak to the application:*

**Agent**

The agent participated remotely and explained the purpose of the application.

*The Chair asked that the first registered delegate speak to the application:*

**Amy Tavares**

The delegate participated in-person and requested additional information on the proposed development of the subject property.

*The Chair clarified that the only item before the Committee is the correction to the lot frontage.*

The delegate requested clarification on the notification process, should this site be redeveloped.

*The Town Planner explained the notification requirements of Planning Act applications.*

**Paul Phillips**

The delegate participated remotely and stated no questions at this time.

**Venus Hood**

The delegate participated remotely and stated no comments at this time.

**Allan Fraser**

The delegate participated in-person and requested clarification on how many lots this property is approved for, and what can be built on each new lot.

*The Town Planner explained what the lot was approved for and the zoning of this property.*

**Mr. Tavares**

The delegate participated in-person and requested clarification on the process to demolish or move a heritage building.

*The Town Planner explained that the existing dwelling was listed on the heritage inventory and the demolition permit process. The Planner stated no demolition permit has been submitted at this time.*

**Committee****6.5.4. Decision of the Committee**

**Moved By:** Member Bruce

**Seconded By:** Member Parkinson



**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A10/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

**7. Adjournment**

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the meeting be adjourned at the hour 6:47 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Lisa Campion



## Minutes of the Town of Erin Committee of Adjustment Meeting

June 15<sup>th</sup>, 2022

6:00 PM

### In-Person Participation

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Brad Bruce	Member
	Liz Crighton	Member
<b>Absent</b>	None.	
<b>Staff Present:</b>	Tanjot Bal	Secretary-Treasurer

#### 1. **Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following applications will be heard this evening: A11-22, A12-22 and A13-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

#### 2. **Approval of the Agenda**

**Moved By:** Member Crighton

**Seconded By:** Member Bruce

**Be it resolved that** the Committee hereby approve the agenda as amended to add item 2.1 appointment of secretary treasurer.

**Carried**

2.1 **Chair: Appointment of Secretary Treasurer**

**Moved By:** Member Bruce

**Seconded By:** Member Parkinson

**Be it resolved that** the Committee hereby appoint Tanjot Bal as Secretary Treasurer for the Committee of Adjustment.

**Carried**

3. **Disclosure of Pecuniary Interest**

None.

4. **Requests for withdrawal or deferral of Applications**

None.

5. **Notice**

Notice was given by mail on June 1, 2022 to every owner of land within 60 meters (200 ft) of each subject property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notices were issued on the Town's Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

6. **Application**

**6.1. File Number: A11/22 – 4905 Ninth Line**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 4.1.2.9 of the Town's Zoning By-law which requires accessory buildings to be constructed a minimum of 15 metres from the single detached dwelling on the lot. The requested variance is to permit a maximum setback of 18 metres from the single detached dwelling on the lot.

**6.1.1. Planning Report**

Town of Erin – Planning Department

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the

intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variance.

#### **6.1.2. Correspondence**

##### County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

##### Town of Erin Fire Services

No comments.

#### **6.1.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

##### Applicant

The applicants explained the purpose of the application. The applicants are looking to convert an existing structure into a tiny dwelling unit.

##### Committee

No questions or discussion.

#### **6.1.4. Decision of the Committee**

**Moved By:** Member Parkinson

**Seconded By:** Member Crighton

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A11/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

#### **6.2. File Number: A12/22 – 5065 Wellington Road**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from Section 4.2.3 and 4.2.4.1 of the Town's Zoning By-law which requires accessory buildings not to exceed a building height of 4.5 metres and to be a maximum ground floor area of 116 square metres. The requested variances are to permit an accessory structure with a maximum building height of 5.8 metres and a maximum ground floor area of 183 metres.

### 6.2.1. Planning Report

#### Town of Erin – Planning Department

It is Planning Staff's opinion that these variances are minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variances.

### 6.2.2. Correspondence

#### Resident – Patty Milton & Ian Currie (5066 Wellington Road 125)

No objections to the variance.

#### County of Wellington – Planning Comments

Planning staff have no comments or concerns with the proposed minor variance application.

#### Grand River Conservation Authority

GRCA has no objection to the approval of application A12-22. The subject property does not contain any watercourses, floodplains, shorelines, wetlands, valley slopes or other environmental features of interest to GRCA. The property is not subject to Ontario Regulation 150/06 and, therefore, a permission from GRCA is not required.

### 6.2.3. Comments

No member of the public has registered to participate this evening.

*The Chair asked that the agent speak to the application:*

#### **Agent**

The agent explained the purpose of the application. The landowners are looking for relief in order to park an RV and other equipment.

*The Chair asked that the applicant speak to the application:*

**Committee**

Member Oughtred: requested details on the proposed use of the second storey

Member Bruce: requested details on the run-off of water

**6.2.4. Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Bruce

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A12/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor,

**Carried**

**6.3. File Number: A13/22 – 5035 Wellington Road 125**

**THE PURPOSE AND EFFECT OF THE APPLICATION** is to provide relief from the Town’s Zoning By-law, as amended by By-law 21-15, to expand the boundary of the A-127 Zone for the revised parking area for the wedding and event venue.

**6.3.1. Planning Report**

Town of Erin – Planning Department

It is Planning Staff’s opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin’s Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variance.

**6.3.2. Correspondence**

County of Wellington – Planning Comments

Staff do not have any concerns with the proposed Minor Variance Application.

Grand River Conservation Authority

The property contains portions of the Eramosa River Blue Springs Creek Provincially Significant Wetland (PSW) complex, unevaluated wetlands and a potentially unmapped wetland approximately 50m to the north of the existing barn and within 25m of the existing laneway.

The GRCA provided comment on April 22, 2022 for Site Plan Approval application SP01-22 to permit a wedding and event venue on a portion of the property.

The GRCA has no objection to the proposed Minor Variance to revise the parking area for a wedding and event venue.

While satisfied the parking area may be accommodated, GRCA notes that a response to comments provided for Site Plan Approval application SP01-22 is still outstanding.

**6.3.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

**Applicant**

The applicant explained the purpose of the parking area. Through the rezoning process, concerns were raised by residents regarding the location of the parking area, and therefore the location was revised.

**Committee**

Member Oughtred: Requested confirmation when the site-specific rezoning was approved

Member Bruce: Requested details on how many parking spaces are proposed, lighting and material of the parking area

**6.3.4. Decision of the Committee**

**Moved By:** Member Parkinson

**Seconded By:** Member Bruce

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A13-22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Parkinson  
**Seconded By:** Member Crighton

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meetings:

- **March 16, 2022**
- **April 19, 2022**
- **May 18, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Oughtred  
**Seconded By:** Member Bruce

**Be it resolved that** the meeting be adjourned at the hour 6:21 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Tanjot Bal





## Minutes of the Town of Erin Committee of Adjustment Meeting

July 20<sup>th</sup>, 2022  
6:00 PM

### In-Person Participation

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Brad Bruce	Member
	Liz Crighton	Member
<b>Absent</b>	None.	
<b>Staff Present:</b>	Tanjot Bal	Secretary-Treasurer

#### 1. **Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following application will be heard this evening: A14-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

#### 2. **Approval of the Agenda**

**Moved By:** Member Oughtred

**Seconded By:** Member Crighton

**Be it resolved that** the Committee hereby approve the agenda as amended to add item 2.1 appointment of secretary treasurer.

**Carried**

3. **Disclosure of Pecuniary Interest**

None.

4. **Requests for withdrawal or deferral of Applications**

None.

5. **Notice**

Notice was given by mail on July 6, 2022 to every owner of land within 60 meters (200 ft) of the property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notice was issued on the Town's Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

6. **Application**

**6.1. File Number: A14/22 – 5196 Eighth Line**

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit:

- an existing accessory structure (shed) on a lot with no main building; and
- a reduced MDS I setback of 43 metres, whereas the By-law requires a minimum MDS I setback of 81 metres.

**6.1.1. Planning Report**

Town of Erin – Planning Department

It is Planning Staff's opinion that these variances are minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variances.

**6.1.2. Correspondence**

County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

Credit Valley Conservation Authority

CVC staff have no concerns and no objection to the approval of the Minor Variance by the Committee at this time.

**6.1.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

**Applicant**

The applicants explained the purpose of the application. The severance is for his and the existing structure on the property has no impact on the construction of a dwelling on the proposed severed lot.

**Committee**

No questions or discussion.

**6.1.4. Decision of the Committee**

**Moved By:** Member Parkinson

**Seconded By:** Member Crighton

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A14/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variances are minor.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Oughtred

**Seconded By:** Member Bruce

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meetings:

- **June 15, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Parkinson  
**Seconded By:** Member Crighton

**Be it resolved that** the meeting be adjourned at the hour 6:07 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Tanjot Bal



**Minutes of the Town of Erin  
Committee of Adjustment Meeting**

**August 17<sup>th</sup>, 2022  
6:00 PM  
In-Person Participation**

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Brad Bruce	Member
	Liz Crighton	Member
<b>Absent</b>	None.	
<b>Staff Present:</b>	Tanjot Bal	Secretary-Treasurer

**1. Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following application will be heard this evening: A15-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**2. Approval of the Agenda**

**Moved By:** Member Parkinson

**Seconded By:** Member Oughtred

**Be it resolved that** the Committee hereby approve the agenda.

**Carried**

3. **Disclosure of Pecuniary Interest**

None.

4. **Requests for withdrawal or deferral of Applications**

None.

5. **Notice**

Notice was given by mail on August 2, 2022 to every owner of land within 60 meters (200 ft) of the property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notice was issued on the Town's Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

6. **Application**

**6.1. File Number: A15/22 – 5746 Trafalgar Road**

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit an accessory building with a height of 9.4 metres, whereas the By-law permits a maximum building height of 4.5 metres.

**6.1.1. Landowner – Doug Fregin**

The landowner, Doug Fregin, has requested that the application be tabled to provide the opportunity for the landowners to work with Credit Valley Conservation, to determine a suitable location for the proposed garage.

**Planning Report**

Town of Erin – Planning Department

It is Planning Staff's opinion that Minor Variance Application A15-22 be **Tabled** until the applicants obtain a permit from Credit Valley Conservation Authority for the proposed accessory building.

### 6.1.2. Correspondence

#### County of Wellington – Planning Comments

The subject lands are designated as Secondary Agriculture, Core Greenlands and Greenlands in the County Official Plan. The subject property is located in the Provincial Greenbelt plan and is designated as Natural Heritage System. Planning staff notes that the proposed variance would permit the construction of an accessory structure, and any comments from the Credit Valley Conservation Authority should be addressed. Overall, Staff do not have any concerns with the proposed Minor Variance application.

#### Credit Valley Conservation Authority

Credit Valley Conservation Authority has reviewed the location of the proposed garage, as it falls within their regulated area (property contains a Provincially Significant Wetland and traversed by the West Credit River and its associated Regulatory Floodplain and erosion hazards).

CVC has received a permit application for the proposed garage and are unable to issue a CVC permit, as the proposed garage will remove portions of the provincially significant wetland.

### 6.1.3. Comments

The applicants and agent did not attend the meeting. No member of the public has registered to participate this evening.

#### Committee

No questions or discussion.

### 6.1.4. Decision of the Committee

**Moved By:** Member Parkinson

**Seconded By:** Member Bruce

**Be it resolved that** the Town of Erin Committee of Adjustment hereby tables Minor Variance Application A15-22.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Oughtred  
**Seconded By:** Member Crighton

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meetings:

- **July 20, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Bruce  
**Seconded By:** Member Crighton

**Be it resolved that** the meeting be adjourned at the hour 6:06 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Tanjot Bal





**Minutes of the Town of Erin  
Committee of Adjustment Meeting**

September 19<sup>th</sup>, 2022

6:00 PM

**In-Person Participation**

<b>Present:</b>	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Liz Crighton	Member
<b>Absent</b>	Brad Bruce	Member
<b>Staff Present:</b>	Tanjot Bal	Secretary-Treasurer

**1. Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:00 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following application will be heard this evening: A16-22, A17-22 and A18-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**2. Approval of the Agenda**

**Moved By:** Member Parkinson

**Seconded By:** Member Oughtred

*AS Circulated. ✓*

**Be it resolved that** the Committee hereby approve the agenda as amended to ~~add item 2.1 appointment of secretary treasurer.~~

**Carried**

**3. Disclosure of Pecuniary Interest**

None.

**4. Requests for withdrawal or deferral of Applications**

None.

**5. Notice**

Notice was given by mail on September 6, 2022 to every owner of land within 60 meters (200 ft) of the property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notice was issued on the Town’s Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

**6. Application**

**6.1. File Number: A16/22 – 56 Trafalgar Road**

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit:

- the parking of a school bus on the driveway, whereas the By-law does not permit the parking of commercial vehicles on a residential driveway; and
- the parking of a school bus in front of the dwelling unit, whereas the By-law requires all parking within a Residential Zone to be to the rear of the front wall of the main building.

**6.1.1. Planning Report**

Town of Erin – Planning Department

The subject property is located within the Village Core Main Street in the Town of Erin’s Urban Design Guidelines. The introduction of commercial vehicle parking takes away from the design principles for the village core, such as providing a vibrant and animated streetscape.

The Zoning By-law permits the parking of motor vehicles on a residential driveway, but this does not include commercial vehicles. A school bus is considered a commercial vehicle.

The By-law restricts the parking of commercial vehicles to non-residential properties, to ensure there is adequate room for the larger vehicles to park and maneuver to and from the site.

It is not appropriate to park commercial vehicles on residential driveways in the R1 zone, as these driveways have not been reviewed to confirm there is adequate space to park a large vehicle, without negatively impacting adjacent driveways and local traffic (i.e. sight line concerns, and maneuvering to and from the property).

Should the Committee approve the requested variance to permit the parking of commercial vehicles within this location, it will set a negative precedent for future requests of a similar nature, and work in opposition to the Town's revitalization efforts.

And therefore, it is Planning Staff's opinion that these variances are not minor in nature, are not desirable for the appropriate development of the land, and do not meet the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Refusal of the proposed variances.

#### **6.1.2. Correspondence**

##### County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

##### Credit Valley Conservation Authority

CVC staff have reviewed the application and CVCs interests are not impacted by the proposed variance. As such, CVC has no concerns with the approval of the application.

##### County of Wellington Works, Town of Erin Infrastructure Services and Town of Erin Building Services

No comments.

### 6.1.3. Comments

*The Chair asked that the applicant speak to the application:*

#### Applicant

The applicant, Mary Neil, explained the purpose of the application and specifications of the location of the site. Indicated that she reverses into the driveway and that buses are constantly travelling to and from the school, across the street.

#### Lynne O'Donnell & Dennis Suidgeet

Provided pictures for the Committee to review (no idling signage and location of their property relative to the applicant's property). Indicated that during the winter time, the bus is idling for long periods of time. Has tried to work with the applicant and have spoken to Denny's Bus. Have no concerns with buses being parking in rural areas. Parking of the commercial vehicle disturbs their enjoyment of life (noises when windows are open).

#### Landowner

One of the landowners, Robert, explained that the neighbours complaints are harassment and doesn't relate to the purpose of the application.

#### Committee

Member Parkinson:

- Questioned how long the applicant has been parking the bus (applicant indicated 5 years)
- Consider temporary approval for two years, with the ability to extend, with conditions that there should be no parking during holidays

Member Crighton:

- Noticed the house is for sale, is this a service for future use (applicant indicated no – it is for her only)

Member Oughtred:

- Commented that it is troublesome that the adjacent neighbour has concerns and the parking on commercial vehicles in the village core

Member Crighton:

- Commented that Hillsburgh currently has a mix of uses
- Would like to protect the neighbour

Member Oughtred:

- Questioned the need for idling (applicant indicated that she does not idle in the summer)

Member Parkinson:

- Motion to approve the application, subject to the following conditions:
  - That this decision be tied to the current owners
  - That temporary parking be permitted on the driveway for 1 year
  - That parking of the bus is only permitted during the school year and is not permitted during Holidays and weekends
  - That a site plan be submitted demonstrating there is sufficient space on the driveway to park the school bus behind the front wall of the primary residence.
- Motion failed

#### **6.1.4. Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Crighton

**Be it resolved that** the Town of Erin Committee of Adjustment hereby refuses Minor Variance Application A16/22 because the application does not meet the four tests of the Planning Act.

**Carried**

#### **6.2. File Number: A17/22 – 5826 First Line**

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit an accessory building with a building height of 5.5 metres, whereas the By-law permits a building height of 4.5 metres.

##### **6.2.1. Planning Report**

###### Town of Erin – Planning Department

The subject property is designated Prime Agricultural and Core Greenlands in Erin's Official Plan. Residential uses and accessory uses (including a garage and workshop) are permitted.

The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2) in Erin's Zoning By-law 07-67, as amended. A detached dwelling and accessory structures are permitted within the A Zone.

The By-law restricts the height of accessory structures to 4.5 metres. The maximum height provision is within the By-law to ensure accessory structures are an appropriate size relative to the main dwelling.

The applicant is requesting variances for an increased height of 1 metre. The building will be used to store personal vehicles, farm equipment and outdoor furniture. In addition, it is a pre-fabricated and therefore the height cannot be adjusted. This structure will not be visible from the street.

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variance.

### 6.2.2. Correspondence

#### County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

#### Grand River Conservation Authority

The subject property contains a portion of the provincially significant Speed Lutteral Swan Creek Wetland Complex, floodplain, and the regulated allowance adjacent to these features. Due to the presence of the features noted above, a portion of the property is regulated by the GRCA under Ontario Regulation 150/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development within the regulated areas on the subject property will require the prior issuance of a permit pursuant to Ontario Regulation 150/06.

The GRCA has issued Permit 568/22 for the proposed accessory structure and the plans circulated with this minor variance application are consistent with the plans approved under the GRCA permit noted above. GRCA staff do not anticipate any negative impacts to the wetland as a result of this application or the proposed development. As such, the GRCA has no objection to the approval of this application by the Town of Erin.

#### County of Wellington Works, Town of Erin Infrastructure Services and Town of Erin Building Services

No comments.

### 6.2.3. Comments

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

#### Applicant

The applicant indicated that he is in attendance to answer any questions. Explained that the property currently doesn't have any storage (shed or garage). Proposing a height to park a mobile home.

#### Committee

Member Oughtred:

- Asked for details on the lot area and the distance from the front lot line to the house

### 6.2.4. Decision of the Committee

**Moved By:** Member Parkinson

**Seconded By:** Member Crighton

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A17/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variances are minor.

**Carried**

### 6.3. File Number: A18/22 – Third Line

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit a reduced MDS I setback of 111 metres, whereas the By-law requires a minimum MDS I setback of 114 metres.

#### 6.3.1. Planning Report

##### Town of Erin – Planning Department

The subject property is designated Secondary Agriculture, Core Greenlands and Greenlands in Erin's Official Plan. The proposed

severed parcel is outside of the Core Greenlands and Greenlands Designation.

Lot creation within the Secondary Agricultural Area shall be subject to Section 6.5 and 10.4 of Wellington County's Official Plan.

Section 6.5.6 of the County's Official Plan states that lot creation shall be subject to Minimum Distance Separation (MDS) requirements.

Further, Section 4.22 of the Town's Zoning By-law 07-67, as amended, requires new non-agricultural uses to comply with the MDS I calculations using the Formulas set out by the Province.

The proposed variance to reduce the MDS I setback from the barn located at 4956 Third Line will ensure the proposed severed lot complies with the intent and purpose of the Official Plan and Zoning By-law.

It is Planning Staff's opinion that this variance is minor in nature, desirable for the appropriate development of the land, and meets the intent of Erin's Official Plan and Zoning By-law, and therefore recommends Approval of the proposed variance.

### **6.3.2. Correspondence**

#### County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

#### Credit Valley Conservation Authority

The retained portion of the subject property is regulated by Credit Valley Conservation (CVC) due to the presence of a provincially significant wetland (Eramosa River Blue Springs Creek Wetland Complex) mapped on and adjacent to the site. Portions of retained parcel is also partially located within the Credit River Watershed Natural Heritage System.

In addition, the retained portion of the parcel is located partially within the Protected Countryside and Natural Heritage System (NHS) of the Greenbelt Plan, Erin Greenlands/ Core Greenlands, and the Credit River Watershed NHS. The property is also located within a Significant Groundwater Recharge Area (SGRA), Wellhead



Protection Area Zone (WHPA), WHPA Q1/Q2 under the CTC Source Protection Plan.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological, and biological features associated with the above-noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

CVC has previously reviewed the associated severance file B 21/115 and noted the proposed severed lot is sufficiently setback from any natural hazard and features of concern and located outside of the CVC Regulated Area. The CVC interests are not impacted by the proposed variance. As such, CVC has no objection to the approval of this minor variance.

#### Source Water Protection

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*.

#### County of Wellington Works, Town of Erin Infrastructure Services and Town of Erin Building Services

No comments.

### **6.3.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the applicant speak to the application:*

#### Agent

The agent, Hailey Keast, explained the purpose of the application, and indicated that she is in attendance to answer any questions.

#### Committee

No questions or discussion.

### **6.3.4. Decision of the Committee**

**Moved By:** Member Oughtred

**Seconded By:** Member Crighton

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A18/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variances are minor.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Parkinson

**Seconded By:** Member Crighton

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meetings:

- **August 17, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Crighton

**Seconded By:** Member Parkinson

**Be it resolved that** the meeting be adjourned at the hour 6:46 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Tanjot Bal



## Minutes of the Town of Erin Committee of Adjustment Meeting

December 21<sup>st</sup>, 2022  
6:00 PM

### In-Person Participation

<b>Present:</b>	Rob Fletcher	Chair
	Wayne Parkinson	Member
	William Oughtred	Member
	Liz Crighton	Member
<b>Absent:</b>	Brad Bruce	Member
<b>Staff Present:</b>	Tanjot Bal	Secretary-Treasurer

#### 1. **Call to Order**

Chair Rob Fletcher called the meeting to order at the hour of 6:01 p.m. and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following application will be heard this evening: A25-22.

The Chair stated that the purpose of the meeting is to allow the presentation of applications for Minor Variances, and to allow interested members of the public the opportunity to ask questions or offer comments. The Chair then stated that the Committee will exchange views and the decision will come after the full consideration of input from the meeting, submissions from neighbours and any other interested parties and comments from agencies.

The Secretary explained the appeal process, that anyone wishing to appeal the Committee's decision must do so within twenty (20) days of notice by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reason in support of the objection accompanied by payment to the secretary the fee prescribed under the Ontario *Land Tribunal (OLT)*. The Chair advised that if a person or public body does not make an oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

#### 2. **Approval of the Agenda**

**Moved By:** Member Parkinson

**Seconded By:** Member Oughtred

**Be it resolved that** the Committee hereby approve the agenda as circulated.

**Carried**

**3. Disclosure of Pecuniary Interest**

None.

**4. Requests for withdrawal or deferral of Applications**

None.

**5. Notice**

Notice was given by mail on December 5, 2022 to every owner of land within 60 meters (200 ft) of the property and to agencies requiring notice as prescribed in the *Planning Act* governing Minor Variance Applications. Also public notice was issued on the Town's Website.

The Secretary Advised that the agencies circulated included the Conservation Authority, the County of Wellington, the Ministry of Municipal Affairs and Housing, the school boards, Union gas, and Town Staff.

**6. Application**

**6.1. File Number: A25-22 18 Millwood Road**

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67, as amended, to permit a rear yard setback of 2.26 metres, whereas the By-law permits a rear yard setback of 7.5 metres.

**6.1.1. Planning Report**

Town of Erin – Planning Department

The current dwelling is approximately 23 metres from Millwood Road. The front entrance to the dwelling and access to the dwelling is from Woolen Mill Lane.

Currently the existing dwelling does not meet the required rear yard setback of 7.5 metres (approximately 4 metres). The applicant is requesting to further reduce this setback to 2.26 metres.

Given there is adequate amenity space between the dwelling and Millwood Road, Staff are not concerned with the proposed rear yard reduction.

**6.1.2. Correspondence**

Resident of 14 Millwood Road – David DeForest & In-Myoung Park

Submitted written comments in support for granting the requested variance to allow Mr. And Mrs. Boland to build an attached garage. Mr. and Mrs. Boland's efforts to improve their property have contributed greatly to "cleaning up" our neighborhood and the garage will be another positive addition to our community. Please grant them the requested variance.

Resident of 16 Millwood Road – Ann Shanahan

Strongly in favour of the minor variance to permit a rear yard setback of 2.26 meters to build an attached garage. Both 16 and 18 Millwood sit in strange positions as Woollen Mill Lane cuts between them and thus they have very small frontages. For years, both of our properties could have been considered 'eyesores'. Over the last few years, with the new ownership of the Boland family, 18 Millwood has transformed with lovely curb appeal. They take wonderful care of their property and have added beautiful gardens and lighting. The addition of an attached garage will be the final piece of this improvement puzzle. Plus, a garage is always welcome for a growing family with toys and lawn equipment.

On another note, Woollen Mill is a very thin street and during winter months it is VERY challenging to park if residents have guests. The addition of the garage would give the Bolands more parking and be able to stay off the road.

County of Wellington – Planning Comments

County Planning Staff have no concerns with the proposed application.

County of Wellington – Roads Comments

No comments.

Credit Valley Conservation Authority

No objection or concerns.

Town of Erin Building Services

No comments.

**6.1.3. Comments**

No member of the public has registered to participate this evening.

*The Chair asked that the agent speak to the application:*

**Applicant**

The applicant, Austin Boland, explained the purpose of the minor variance. Looking to add a garage with storage, as the dwelling doesn't have a basement. The rear yard actually functions as the side yard. The only green space is at the front of the property.

**Committee**

No discussion.

**6.1.4. Decision of the Committee**

**Moved By:** Member Crighton

**Seconded By:** Member Parkinson

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A25/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Oughtred

**Seconded By:** Member Parkinson

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meeting:

- **November 16, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Crighton

**Seconded By:** Member Parkinson

**Be it resolved that** the meeting be adjourned at the hour 6:10 p.m.

**Carried**

**Moved By:** Member Parkison  
**Seconded By:** Member Oughtred

**Be it resolved that** the Town of Erin Committee of Adjustment hereby approves Minor Variance Application A24/22 because the application meets the following criteria:

- The general intent and purpose of the Official Plan is maintained;
- The general intent and purpose of the Zoning By-Law is maintained;
- The variance is considered desirable for the appropriate development of land;
- In the opinion of the Committee, the variance is minor.

**Carried**

**7. Adoption of the Minutes**

**Moved By:** Member Bruce  
**Seconded By:** Member Parkinson

**Be it resolved that** the Committee hereby adopt the minutes as circulated for the following Committee of Adjustment meeting:

- **October 19, 2022**

**Carried**

**8. Adjournment**

**Moved By:** Member Oughtred  
**Seconded By:** Member Bruce

**Be it resolved that** the meeting be adjourned at the hour 6:39 p.m.

**Carried**

  
Chair Rob Fletcher

  
Secretary-Treasurer Tanjot Bal