



TOWN OF ERIN
Committee of Adjustment
AGENDA

June 15, 2022
6:00 PM
Municipal Council Chambers

	Pages
1. Call to Order	
2. Approval of Agenda	
3. Disclosure of Pecuniary Interest	
4. Requests for Withdrawal or Deferral of Application	
5. Notices	
A11-22 - 4905 Ninth Line	1 - 3
A12-22 - 5065 Wellington Road 125	4 - 7
A13-22 - 5035 Wellington Road 125	8 - 10
6. Applications	
6.1 File Number: A11-22 4905 Ninth Line	
6.1.1 Planning Report	11 - 13
6.1.2 Correspondence	
6.1.3 Comments	
6.1.4 Decision of the Committee	
6.2 File Number: A12-22 5065 Wellington Road 125	
6.2.1 Planning Report	15 - 19
6.2.2 Correspondence	
6.2.3 Comments	
6.2.4 Decision of the Committee	

6.3 File Number: A13-22 5035 Wellington Road 125

6.3.1 Planning Report 20 - 24

6.3.2 Correspondence

6.3.3 Comments

6.3.4 Decision of the Committee

7. Adoption of Minutes

7.1 March 16 Committee of Adjustment Meeting 25 - 29

7.2 April 19 Committee of Adjustment Meeting 30 - 42

7.3 May 18 Committee of Adjustment Meeting 43 - 54

8. Adjournment



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

A11-22

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

The Committee will give consideration to the minor variance application on:

Wednesday June 15, 2022 at 6:00 pm

In-Person Participation

****Note:** The Public is encouraged to make oral submissions by pre-registering with the Secretary-Treasurer of the Committee of Adjustment by emailing planning@erin.ca or calling the contact information listed below with your name and phone number. Please indicate the application number or address of the property you wish to speak to.

Please submit written submissions and/or register to make oral submissions prior to **4:00 p.m.** on the consideration date.

Your submissions, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56*, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request.

Applicant and Property Information

File Number:	A11-22	Subject Property Zoned:	A
Owner:	Sheila Noreen Barrington	Zoning By-law:	07-67
Property Address:	4905 Ninth Line		
Legal Description:	Part Lot 1, Concession 10 W		

Purpose of Application

The applicant request approval of this minor variance application, in order to obtain a building permit for an accessory dwelling unit.

Requested Variance

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 4.1.2.9</u> The accessory building shall be located within 15 m of the single detached dwelling on the lot	To permit an accessory building located 18 metres from the single detached dwelling on the lot



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A11-22

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

ORAL OR WRITTEN SUBMISSION

Any person or public body is entitled to attend the public meeting and make written or oral submissions on the proposed variance.

If a person or public body does not make oral submissions at a the public meeting or make written submissions to the Committee of Adjustments before the variance is passed, the person or public body is not entitled to appeal the decision of the Committee to the Ontario Land Tribunal (OLT).

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Committee of Adjustments before the variance is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

NOTICE OF DECISION

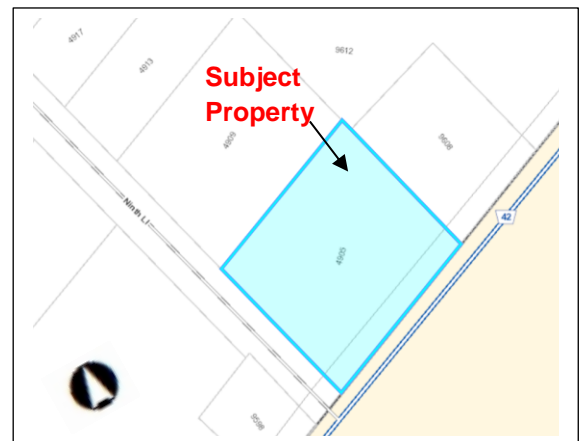
If you wish to be notified of the decision of the Committee of Adjustment for the Town of Erin in respect of this application, you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment for the Town of Erin at the address provided below.

ADDITIONAL INFORMATION regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

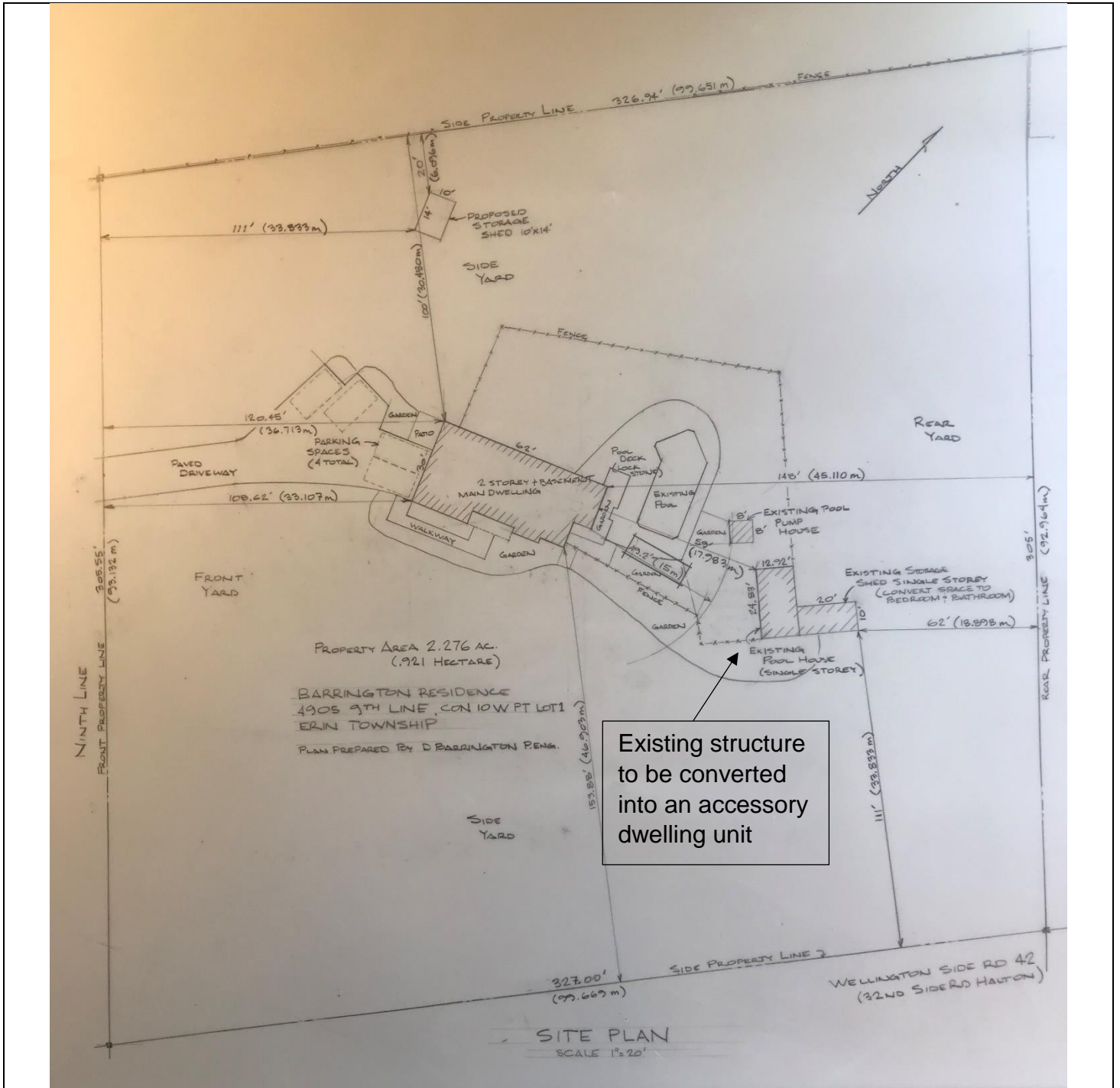
Dated at the Town of Erin
This day of June 1, 2022.

Lisa Campion, Secretary-Treasurer
Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0

P 519.855.4407 X242



Attachment A – Submitted Site Plan



	File No(s):	A11-22
	Address:	4905 Ninth Line
	Legal Description:	Part Lot 1, Concession 10 W

May 24, 2022



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A12-22

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

The Committee will give consideration to the minor variance application on:

Wednesday June 15, 2022 at 6:00 pm

In-Person Participation

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Applicant and Property Information

File Number:	A12-22	Subject Property Zoned:	A
Owner:	John & Ann Locke	Zoning By-law:	07-67
Property Address:	5065 Wellington Road 125		
Legal Description:	Part Lot 4, Concession 3; Now parts 1 and 3 on RP 61R-21039		

Purpose of Application

The applicant request approval of these minor variances, in order to obtain a building permit for an accessory dwelling unit.

Requested Variances

Details of the variances are as follows:

By-law Requirement	Relief Applied For
<u>Section 4.2.3</u> The <i>building height</i> of all <i>accessory buildings</i> in the "A" zone shall not exceed 4.5 m.	To permit an accessory building with a building height of 5.8 metres.



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE**

A12-22

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

By-law Requirement	Relief Applied For
<p><u>Section 4.2.4.1</u> On a lot 0.8 ha (2 ac) in size or less the maximum ground floor area for an accessory building or structure is 116 m² (1,250 ft²)</p>	<p>To permit an accessory building with a maximum ground floor area of 183 square metres.</p>

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NOTICE OF DECISION

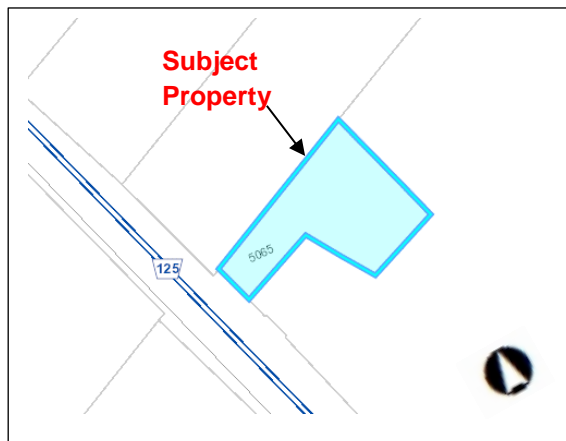
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Dated at the Town of Erin
This day of June 1, 2022.


Lisa Campion, Secretary-Treasurer
Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0

P 519.855.4407 X242



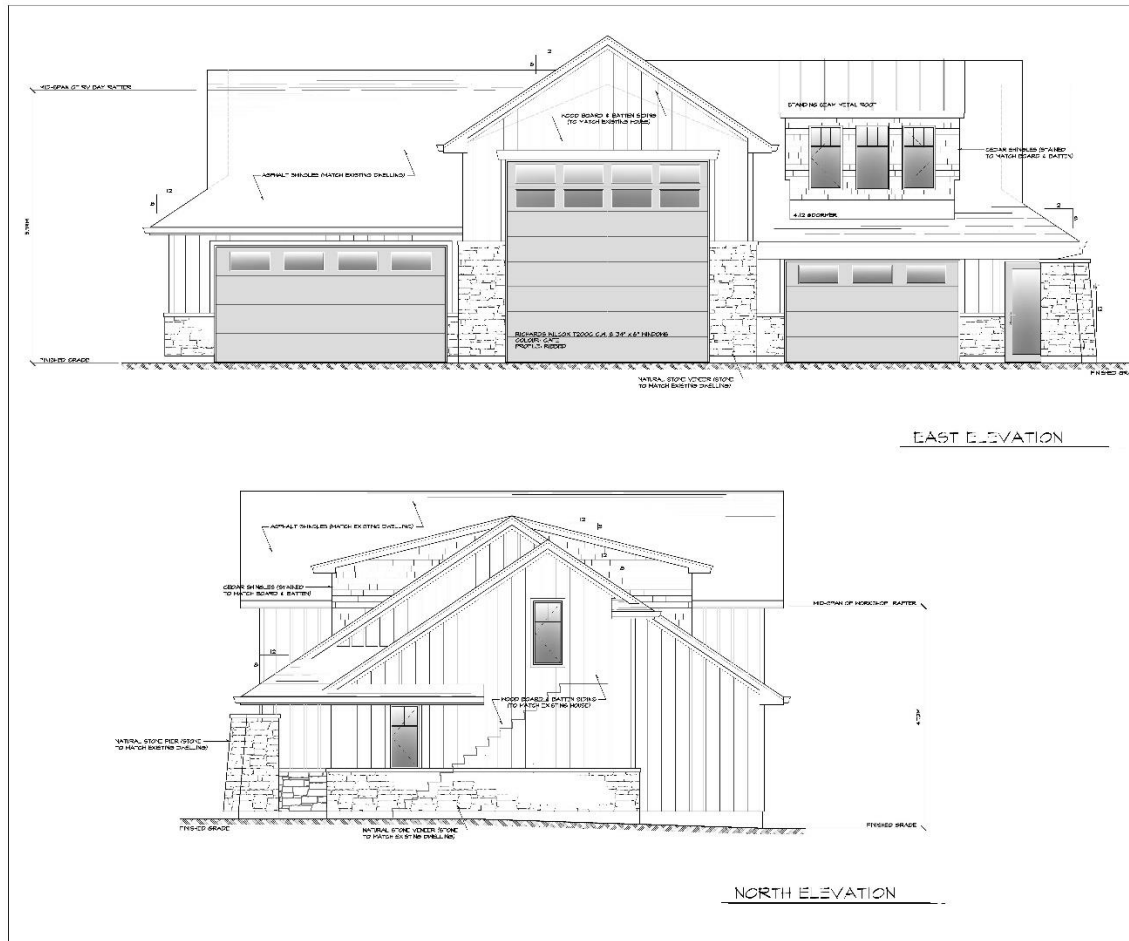
Attachment A – Submitted Site Plan



	File No(s):	A12-22
	Address:	5065 Wellington Road 125
	Legal Description:	Part Lot 4, Concession 3; Now parts 1 and 3 on RP 61R-21039

May 30, 2022

Attachment B – Submitted Elevations



	File No(s):	A12-22
	Address:	5065 Wellington Road 125
	Legal Description:	Part Lot 4, Concession 3; Now parts 1 and 3 on RP 61R-21039



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A13-22

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

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Wednesday June 15, 2022 at 6:00 pm

In-Person Participation

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Applicant and Property Information

File Number:	A13-22	Subject Property Zoned:	A-157 & A
Owner:	Krystal & Ryan Knowles	Zoning By-law:	07-67
Property Address:	5035 Wellington Road 125	Amending By-law:	21-15
Legal Description:	Part Lot 4, Concession 3; Now Part 2 on RP 61R-21039		

Purpose of Application

The applicant request approval of this minor variance, in order to extend the permitted use beyond the boundaries of the site-specific zone.

Requested Variance

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 14 – A-157</u> That special events shall be limited to the area as identified in Schedule 'A' of the amending by-law.	To expand the boundary of the A-157 Zone to include the revised parking area for the wedding and event venue.



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A13-22

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

ORAL OR WRITTEN SUBMISSION

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NOTICE OF DECISION

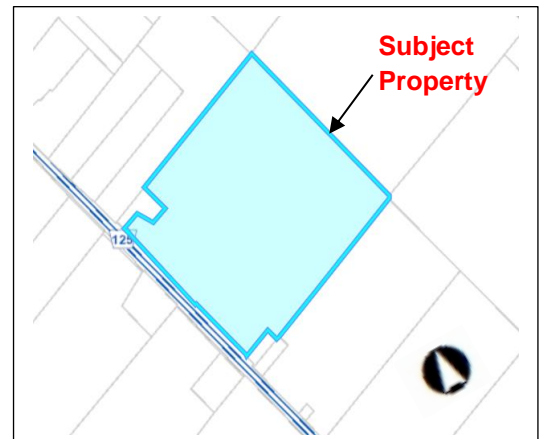
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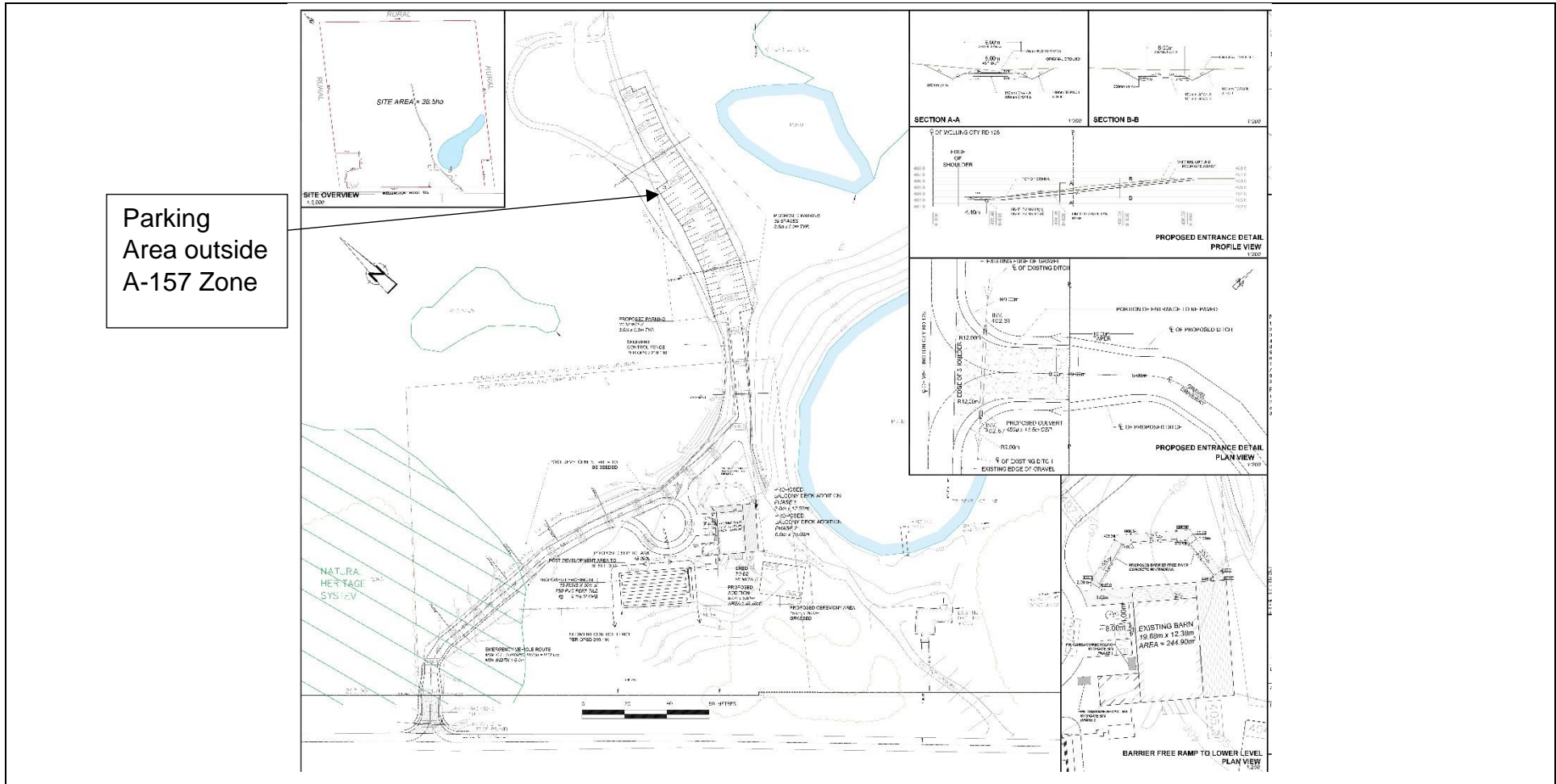
Dated at the Town of Erin
This day of June 1, 2022.

Lisa Campion, Secretary-Treasurer
Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0

P 519.855.4407 X242



Attachment A – Submitted Site Plan



	File No(s):	A13-22
	Address:	5035 Wellington Road 125
	Legal Description:	Part Lot 4, Concession 3; Now Part 2 on RP 61R-21039



PLANNING REPORT

Corporation of the Town of Erin
 5684 Trafalgar Road
 RR2 Hillsburgh ON N0B 1Z0
 (519) 855-4407 Ext. 242 Fax: (519) 855-4281
 EMAIL: tanjot.bal@erin.ca

DATE: June 10, 2022

TO: Lisa Campion, Secretary Treasurer
 Town of Erin Committee of Adjustment

FROM: Tanjot Bal, Senior Planner

SUBJECT: MINOR VARIANCE APPLICATION A11-22
 (Sheila Noreen Barrington)
 4905 Ninth Line
 Part Lot 1, Concession 10 W

Application

The applicant request relief from Zoning By-law 07-67, as amended, to permit an accessory building located 18 metres from the single detached dwelling on the lot, whereas the By-law requires accessory structures to be located within 15 metres of the single detached dwelling on the lot.

The applicant requests approval of this minor variance application, in order to obtain a building permit for an accessory dwelling unit (see Attachment A – Submitted Site Plan).

Recommendation

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.

DISCUSSION

Our Discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
That the general intent and purpose of the Official Plan is maintained.	<ul style="list-style-type: none"> • The subject property is designated Secondary Agriculture in Erin's Official Plan. • The applicant is proposing to construct an accessory structure. Additional Residential Units are permitted within the Secondary Agriculture designation, subject to the Town's Zoning Provisions.

	<ul style="list-style-type: none"> The proposal conforms to the intent and purpose of the Official Plan.
That the general intent and purpose of the Zoning By-law is maintained and the variance is desirable for the appropriate development and use of the land, building, or structure.	<ul style="list-style-type: none"> The subject property is zoned Agricultural (A) 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 requires accessory structures to be located a maximum of 15 metres from the main dwelling. This provision ensures the accessory dwelling unit is second to the main dwelling and is not severed off. The applicant has requested to convert the existing accessory building into an accessory dwelling unit. Since the building is already built, a variance is required to increase the setback from the main house by 3 metres. The proposal conforms to the intent and purpose of the Zoning By-law, and will result in development that is appropriate for the use of the land.
That the variance is minor in nature.	<ul style="list-style-type: none"> Staff acknowledge that the requested variance will result in an accessory dwelling unit which is setback 3 metres more than the By-law permits. As the building exists and the requested relief is minor numerically, the requested variance is considered minor.

PUBLIC, AGENCY, & TOWN COMMENTS

County of Wellington Planning

- The subject lands are located in the Protected Countryside of the Provincial Greenbelt Plan and are designated Secondary Agricultural in the County Official Plan. Staff note that the proposed minor variance is to accommodate a conversion of an existing accessory structure to an accessory dwelling unit. Planning staff note that a future severance of this dwelling would not be permitted unless the lot creation policies in the Official Plan can be met. 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

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

Town of Erin Fire Services

- No comments

Credit Valley Conservation Authority

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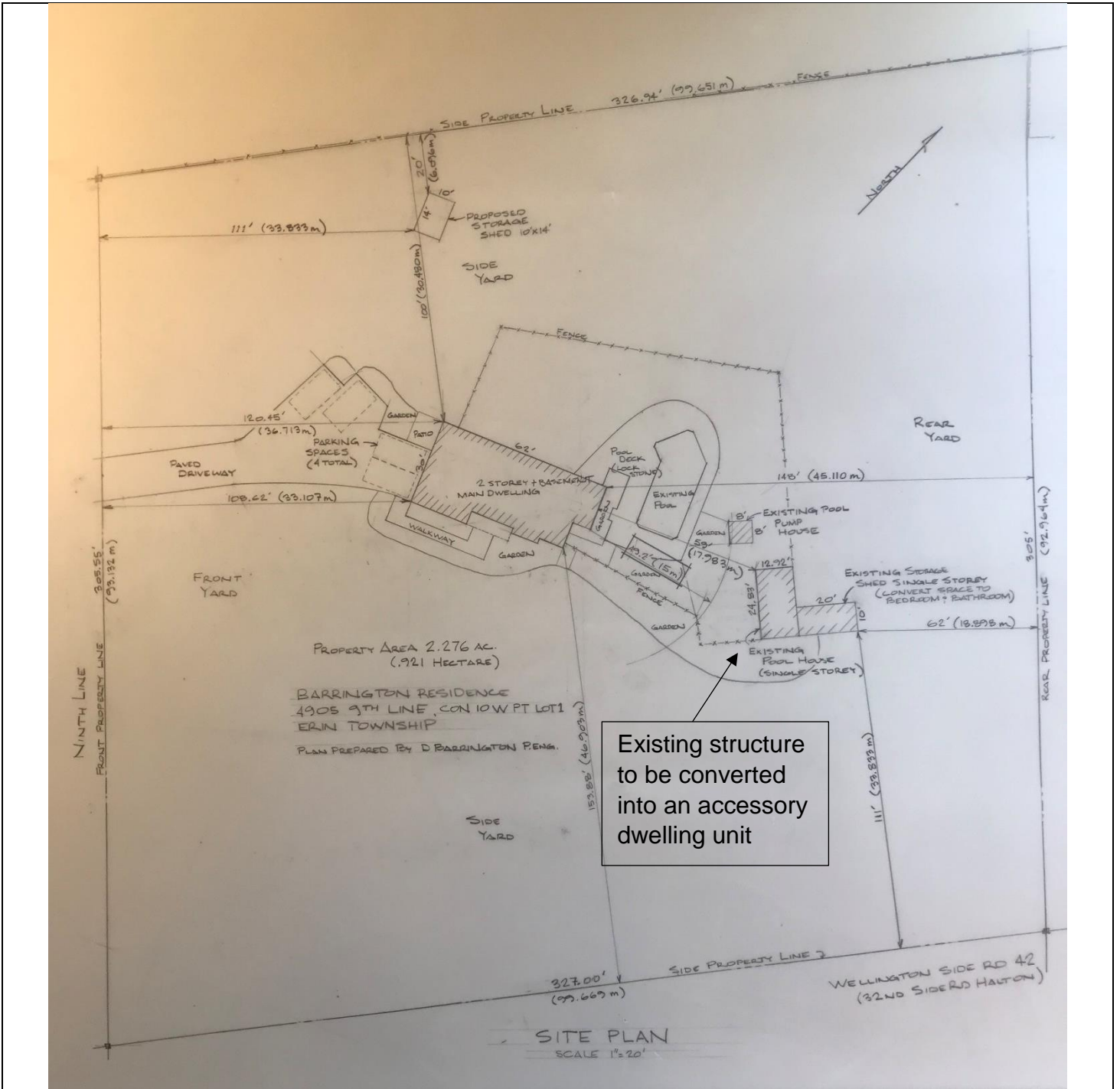
In conclusion, Planning Staff is of the opinion that the requested variance meets the four tests of the *Planning Act*. We trust that these comments will be of assistance to the Committee in their consideration of this matter.

Yours truly,

Tanjot Bal, MCIP, RPP
Senior Planner

Attachment A – Submitted Site Plan

Attachment A – Submitted Site Plan



	File No(s):	A11-22
	Address:	4905 Ninth Line
	Legal Description:	Part Lot 1, Concession 10 W

May 24, 2022



PLANNING REPORT

Corporation of the Town of Erin
 5684 Trafalgar Road
 RR2 Hillsburgh ON N0B 1Z0
 (519) 855-4407 Ext. 242 Fax: (519) 855-4281
 EMAIL: tanjot.bal@erin.ca

DATE: June 10, 2022

TO: Lisa Campion, Secretary Treasurer
 Town of Erin Committee of Adjustment

FROM: Tanjot Bal, Senior Planner

SUBJECT: MINOR VARIANCE APPLICATION A12-22
 (John & Ann Locke)
 5065 Wellington Road 125
 Part Lot 4, Concession 3; Now Parts 1 & 3 on RP 61R-21039

Application

The applicants request relief from Zoning By-law 07-67, as amended, to permit:

- an accessory building with a building height of 5.8 metres, whereas the By-law permits a building height of 4.5 metres; and
- an accessory building with a maximum ground floor area of 183 square metres, whereas the By-law permits a maximum ground floor area of 116 square metres.

The applicants request approval of these variances in order to construct an accessory structure (see Attachment 1 – Submitted Site Plan).

Recommendation

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.

BACKGROUND

Our Discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
That the general intent and purpose of the Official Plan is maintained.	<ul style="list-style-type: none"> • The subject property is designated Secondary Agriculture and Greenlands in Erin's Official Plan. • Residential uses and accessory uses (including a garage and workshop) are permitted.

	<ul style="list-style-type: none"> The proposal conforms to the intent and purpose of the Official Plan.
<p>That the general intent and purpose of the Zoning By-law is maintained and the variance is desirable for the appropriate development and use of the land, building, or structure.</p>	<ul style="list-style-type: none"> The subject property is zoned Agricultural (A) 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 requires accessory structures on lots less than 0.8 of a hectare, to be a maximum of 116 square metres in size. The proposed structure is 182.65 square metres. The maximum size provision is within the By-law to ensure accessory structures are an appropriate size for each property. The By-law also 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 1.29 metres and increased size of 66.65 square metres for an accessory structure. This structure requires variances, in order to store an RV. This structure will be screened from the road by vegetation (trees) and therefore the proposed construction will not be visible from the street. Staff believe it is appropriate to allow the larger accessory structure, to prevent outdoor storage of equipment. The proposal conforms to the intent and purpose of the Zoning By-law, and will result in development that is appropriate for the use of the land.
<p>That the variance is minor in nature.</p>	<ul style="list-style-type: none"> Staff consider the requested variances to be minor, as the proposed construction will not have an impact on the area and the intent of the Zoning By-law is maintained.

PUBLIC, AGENCY, & TOWN COMMENTS

Residents of 5066 Wellington Road 125 - Patty Milton & Ian Currie

- No objections to the variance

County of Wellington Planning

- The subject lands are designated Secondary Agricultural in the County Official Plan. Staff note that the proposed minor variance is to accommodate a new

accessory structure and does not include an accessory apartment. 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 comments

Town of Erin Fire Services

- No Comments

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.

In conclusion, Planning Staff is of the opinion that the requested variances meet the four tests of the *Planning Act*. We trust that these comments will be of assistance to the Committee in their consideration of this matter.

Yours truly,

Tanjot Bal, MCIP, RPP
Senior Planner

Attachment 1 – Submitted Site Plan
Attachment 2 – Submitted Elevations

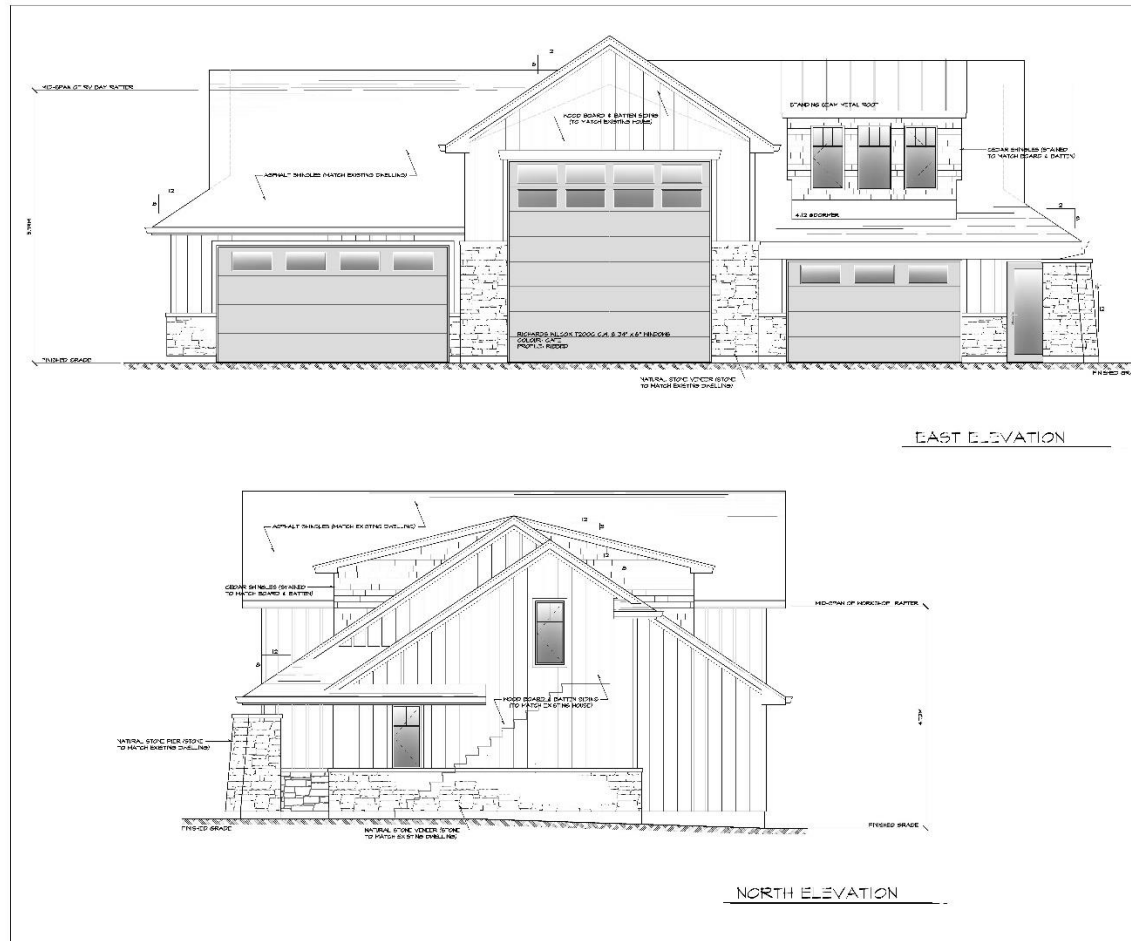
Attachment A – Submitted Site Plan



	File No(s):	A12-22
	Address:	5065 Wellington Road 125
	Legal Description:	Part Lot 4, Concession 3; Now parts 1 and 3 on RP 61R-21039

May 30, 2022

Attachment B – Submitted Elevations



	File No(s):	A12-22
	Address:	5065 Wellington Road 125
	Legal Description:	Part Lot 4, Concession 3; Now parts 1 and 3 on RP 61R-21039

May 30, 2022



PLANNING REPORT

Corporation of the Town of Erin
 5684 Trafalgar Road
 RR2 Hillsburgh ON N0B 1Z0
 (519) 855-4407 Ext. 242 Fax: (519) 855-4281
 EMAIL: tanjot.bal@erin.ca

DATE: June 10, 2022

TO: Lisa Campion, Secretary Treasurer
 Town of Erin Committee of Adjustment

FROM: Tanjot Bal, Senior Planner

SUBJECT: MINOR VARIANCE APPLICATION A13-22
 (Krystal & Ryan Knowles)
 5035 Wellington Road 125
 Part Lot 4, Concession 3; Now Part 2 on RP 61R-21039

Application

The applicants request relief from Zoning By-law 07-67, as amended, to expand the boundary of the A-157 Zone to include the revised parking area for the wedding and event venue.

The applicants request approval of this variance in order to extend the permitted use beyond the boundaries of the site-specific zone (see Attachment A - Submitted Site Plan).

Recommendation

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.

BACKGROUND

On April 6, 2021, Town Council passed By-law #21-15 to allow a special event venue on a portion of the subject property zoned Agricultural Site Specific 157 (A-157) through the review and approval of Zoning By-law Amendment Application Z20-04. The special event venue use was restricted in size, to ensure the on-farm diversified use was limited in scale.

The applicants are currently going through the detailed design stage (site plan approval). Through the review of site characteristics, the applicants decided to locate

the parking area to the north of the event space. Based on this revision to the layout of the site, the applicants require relief from the site-specific by-law to allow the parking area for the special event venue outside of the A-157 Zone.

Our Discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
<p>That the general intent and purpose of the Official Plan is maintained.</p>	<ul style="list-style-type: none"> • The subject property is designated Secondary Agriculture and Greenlands in Erin's Official Plan. • The predominate use within the Secondary Agricultural Area is agricultural, however a broader range of residential, employment and community uses may be permitted. • Wellington County's Official Plan goes into further detail on permitted small scale commercial, industrial and institutional uses within the Secondary Agricultural Area. • These small scale uses are permitted, provided that: <ul style="list-style-type: none"> a) Appropriate sewage and water systems can be established b) The proposed use is compatible with surrounding uses c) The use requires a non-urban location due to: <ul style="list-style-type: none"> a. Market requirements b. Land requirements c. Compatibility issues • Through the rezoning process, the applicant has satisfied the Town that the use complies with the provisions in the Official Plan. • The request to relocate the parking will not increase the amount of land being developed, and therefore the approved use has not increased in scale. • The proposal conforms to the intent and purpose of the Official Plan.
<p>That the general intent and purpose of the Zoning By-law is maintained.</p>	<ul style="list-style-type: none"> • The subject property is zoned Agricultural (A) and Agricultural Site Specific 157 (A-157) in Erin's Zoning By-law 07-67, as amended. • A special event venue is permitted within the A-157 Zone. • The request to extend the A-157 Zone into the A Zone will not increase the scale of the commercial use. • In addition, the proposed parking area will maintain the required setback from the key hydrological feature (minimum 30 metre setback).

	<ul style="list-style-type: none"> • The intent and purpose of the site-specific by-law is maintained. • The proposal conforms to the intent and purpose of the Zoning By-law, and will result in development that is appropriate for the use of the land.
<p>The variance is desirable for the appropriate development and use of the land, building, or structure & is minor in nature.</p>	<ul style="list-style-type: none"> • Previously the parking area was proposed closer to Wellington Road 125. Through the detailed design of the site, the applicants have revised the laneway, and relocated the parking area further north of the barn/event space. • There are no changes proposed to the size and scale of the event space. • Staff consider the requested variance to be appropriate development of the land and minor, as the proposed expansion of the site-specific zone will not increase the scale of the special event venue.

PUBLIC, AGENCY, & TOWN COMMENTS

County of Wellington Planning

- The subject lands are designated Secondary Agricultural in the County Official Plan. Staff note that the proposed minor variance is to relocate the proposed parking area of the wedding venue. The site specific zoning amendment (A-157) is scoped to limit the use to a particular area of the property, the applicant has indicated the area of the use will remain the same by relocating the parking area to the North. The Town will need to be satisfied that this relocation does not represent an expansion of the use but a reconfiguration and the size and scale of the use has not been significantly altered. 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 comments

Town of Erin Fire Services

- No comments

Grand River Conservation Authority

- 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.
- 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. These comments need to be addressed to the satisfaction of the GRCA prior to Site Plan Approval for the proposed wedding and event venue and prior to the issuance of a GRCA permit for work within the regulated area.

- 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.

In conclusion, Planning Staff is of the opinion that the requested variances meet the four tests of the *Planning Act*. We trust that these comments will be of assistance to the Committee in their consideration of this matter.

Yours truly,

Tanjot Bal, MCIP, RPP
Senior Planner

Attachment 1 – Submitted Site Plan
Attachment 2 – Submitted Elevations



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

**March 16th, 2022
6:00 PM
Remote Participation**

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

Application: A01/22

Property Description: 9658 Wellington Rd 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 Crighton

Seconded By: Member Parkinson

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 March 2nd, 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: A01/22 – 9658 Wellington Rd 22

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07/67, as amended, specifically section 4.2.3 which requires the building height of an accessory structure shall not exceed 4.5m. The proposed variance is to permit a building height of an accessory structure that does not exceed 5.8m which is a relief of 1.3m.

6.1.1. Planning Report

Town of Erin Planning Staff

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.

County of Wellington

These comments are offered without the benefit of a site visit. It is our understanding that relief is being requested from Zoning By-law No.07-67, Section 4.2.3 to:

- To permit an accessory building with a height of 5.8m as opposed to the required height of 4.5m
- The subject lands are designated as Secondary Agriculture, Core Greenlands and Greenlands in the County Official Plan. Planning staff notes that the proposed variance would facilitate the construction of an accessory building (garage) on the subject property. The proposed building appears to be located in Secondary Agriculture Designation.
- Comments received from Credit Valley Conservation Authority should be considered by the Town when reviewing this proposal.
- Overall, Staff do not have any concerns with the proposed Minor Variance Application.

County of Wellington Works

No objections to the application

Town of Erin Infrastructure Services

No concerns with the requested variance.

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

Based on CVC mapping, the subject property is regulated due to a tributary of the West Credit River and its associated floodplain as well as the presence of the West Credit River Provincially Significant Wetland Complex. Additionally the property is located within the Greenbelts Natural Heritage System (NHS), the Town of Erin Greenlands, the Credit River Watershed NHS, and the subject

property falls within the Alton Swamp Complex Environmentally Significant Area (ESA).

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 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.

6.1.2 Comments

None.

6.1.3 Committee

Decision of the Committee

Moved By: Member Parkinson

Seconded By: Member Crighton

Be it resolved that the Town of Erin Committee of Adjustment hereby approve the Minor Variance Application A01/22 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

7 Adoption of the Minutes

Moved By: Member Parkinson
Seconded By: Member Crighton

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

- **January 19th, 2022.**

Carried

8 Adjournment

Moved By: Member Crighton
Seconded By: Member Parkinson

Be it resolved that the meeting be adjourned at the hour 6:08 p.m.

Carried

Chair Rob Fletcher

Secretary-Treasurer Lisa Campion



Minutes of the Town of Erin Committee of Adjustment Meeting

April 19th, 2022
6:00 PM

Remote Participation

Present:	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Liz Crighton	Member
	Brad Bruce	Member
Staff Present:	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 140m² in size, whereas the By-law requires a maximum floor area to not exceed the lessor of 45 percent of the floor area of the principle dwelling unit or 92.9m²;
- 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 lesser of 45 percent of the floor area of the principal dwelling unit or 92.9 m². The proposed variance is to permit an accessory dwelling unit that is 254 m² 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

Chair Rob Fletcher

Secretary-Treasurer Lisa Campion



Minutes of the Town of Erin Committee of Adjustment Meeting

May 18th, 2022
6:00 PM

In-Person & Remote Participation

Present:	Rob Fletcher	Chair
	William Oughtred	Member
	Wayne Parkinson	Member
	Brad Bruce	Member
Absent	Liz Crighton	Member
Staff Present:	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 16th to June 14th, and 100% capacity from June 15th to September 15th.

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