



TOWN OF ERIN  
Committee of Adjustment  
AGENDA

**March 15, 2023**  
**6:00 PM**  
**Municipal Council Chambers**

	Pages
<b>1. Call to Order</b>	
<b>2. Appointment of Chair</b>	
<b>3. Appointment of Secretary-Treasurer</b>	
<b>4. Appointment of Assistant Secretary-Treasurer</b>	
<b>5. Approval of Agenda</b>	
<b>6. Disclosure of Pecuniary Interest</b>	
<b>7. Requests for Withdrawal or Deferral of Applications</b>	
<b>8. Notices</b>	
A01-23 5321 Sixth Line	1 – 3
A02-23 Third Line	4 – 6
A03-23 Sixth Line	7 – 9
A04-23 5233 Trafalgar Road	10 – 12
A05-23 5131 Tenth Line	13 – 16
A06-23 5038 First Line	17 – 19
<b>9. Application</b>	
9.1 File Number: A01-23 5321 Sixth Line	
9.1.1 Planning Report	20 – 24
9.1.2 Comments	
9.1.3 Decision of the Committee	
9.2 File Number: A02-23 Third Line	
9.2.1 Planning Report	25 – 29
9.2.2 Comments	

9.2.3	Decision of the Committee	
9.3	File Number: A03-23 Sixth Line	
9.3.1	Planning Report	30 – 33
9.3.2	Comments	
9.3.3	Decision of the Committee	
9.4	File Number: A04-23 5233 Trafalgar Road	
9.4.1	Planning Report	34 – 37
9.4.2	Comments	
9.4.3	Decision of the Committee	
9.5	File Number: A05-23 5131 Tenth Line	
9.5.1	Planning Report	38 – 42
9.5.2	Comments	
9.5.3	Decision of the Committee	
9.6	File Number: A06-23 5038 First Line	
9.6.1	Planning Report	43 – 46
9.6.2	Comments	
9.6.3	Decision of the Committee	
<b>10. Adoption of Minutes</b>		
10.1	December 21 Committee of Adjustment Meeting	47 – 51
<b>11. Adjournment</b>		



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A01-23

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A01-23</b>	Subject Property Zoned:	<b>A &amp; EP2</b>
Owners:	<b>Karen Thompson-Harry &amp; John Harry</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>5321 Sixth Line</b>		
Legal Description:	<b>Part Lot 11, Concession 7 W</b>		

#### **Purpose of Application**

The applicants request approval of this application, in order to clear a condition of conditional approval for Consent Application B82-21.

#### **Requested Variance**

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 4.22.1</u> Minimum distance separation required: 177 metres	To reduce the MDS I setback to 104 metres.

#### **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.



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A01-23

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

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.

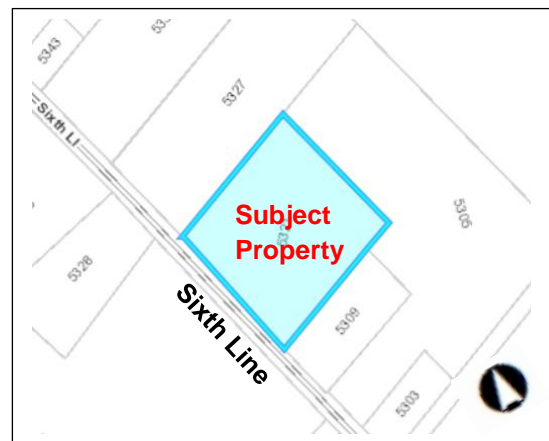
### NOTICE OF DECISION

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.

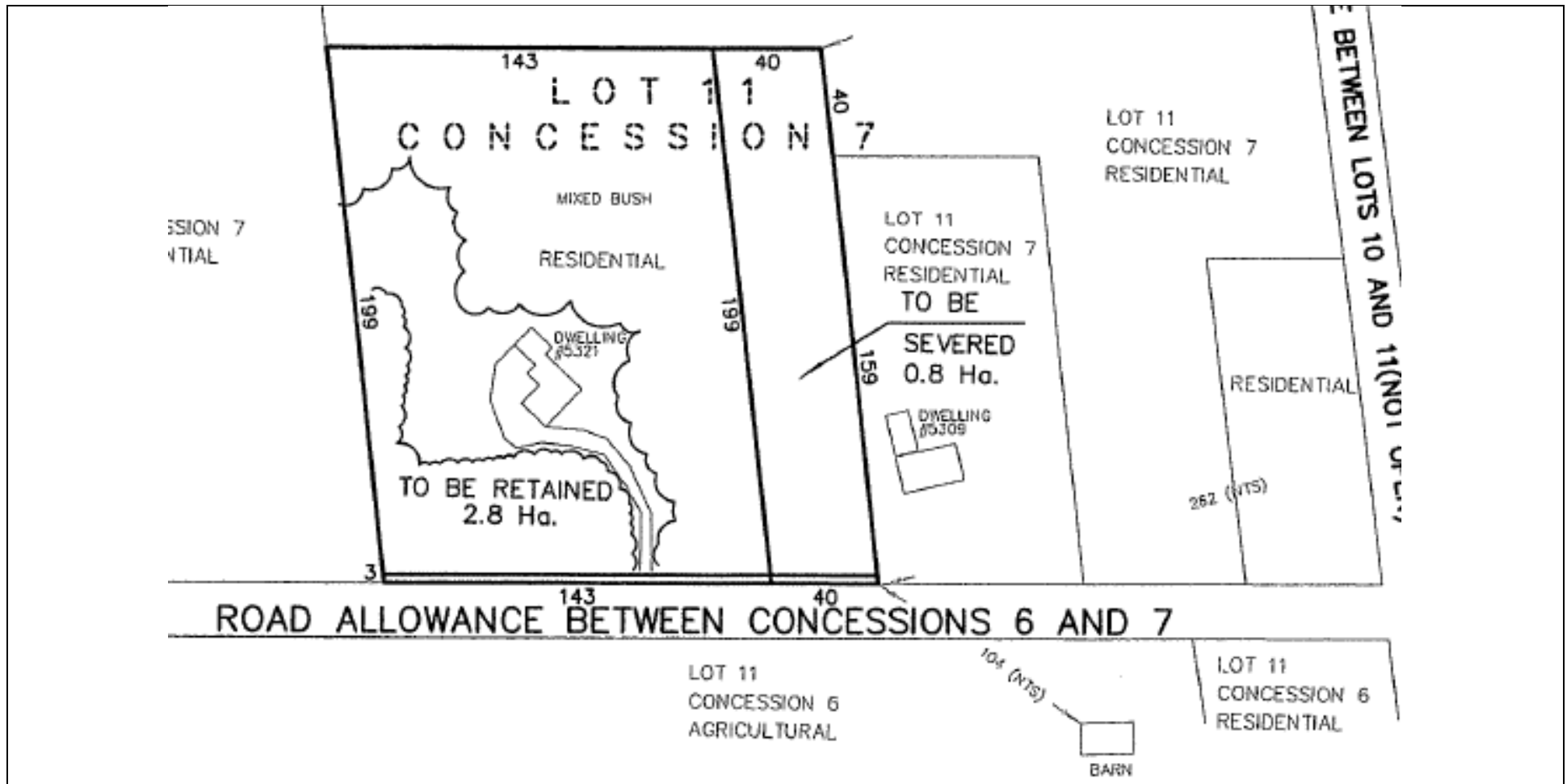
**ADDITIONAL INFORMATION** regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin



## Attachment A – Site Plan



**File No(s):**

A01-23

**Address:**

5321 Sixth Line

**Legal Description:**

Part Lot 11, Concession 7 W

February 28, 2023



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A02-23

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A02-23</b>	Subject Property Zoned:	<b>A &amp; EP2</b>
Owners:	<b>Linda &amp; James Fazekas</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>Third Line</b>		
Legal Description:	<b>Part Lot 29, Concession 3 East</b>		

#### **Purpose of Application**

The applicants request approval of this application, in order to clear a condition of conditional approval for Consent Application B81-22.

#### **Requested Variance**

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 4.22.1</u> Minimum distance separation required: 268 metres	To reduce the MDS I setback to 217 metres.

#### **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.



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

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

**A02-23**

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

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.

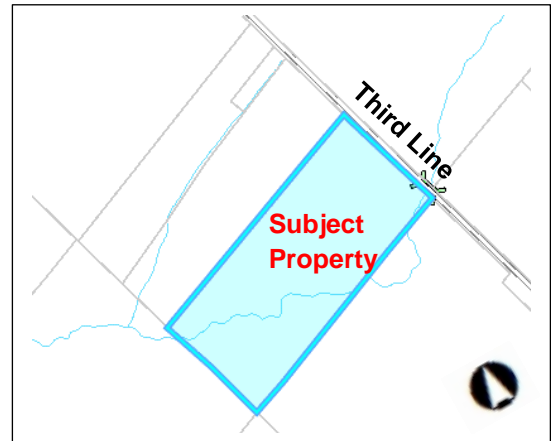
### NOTICE OF DECISION

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.

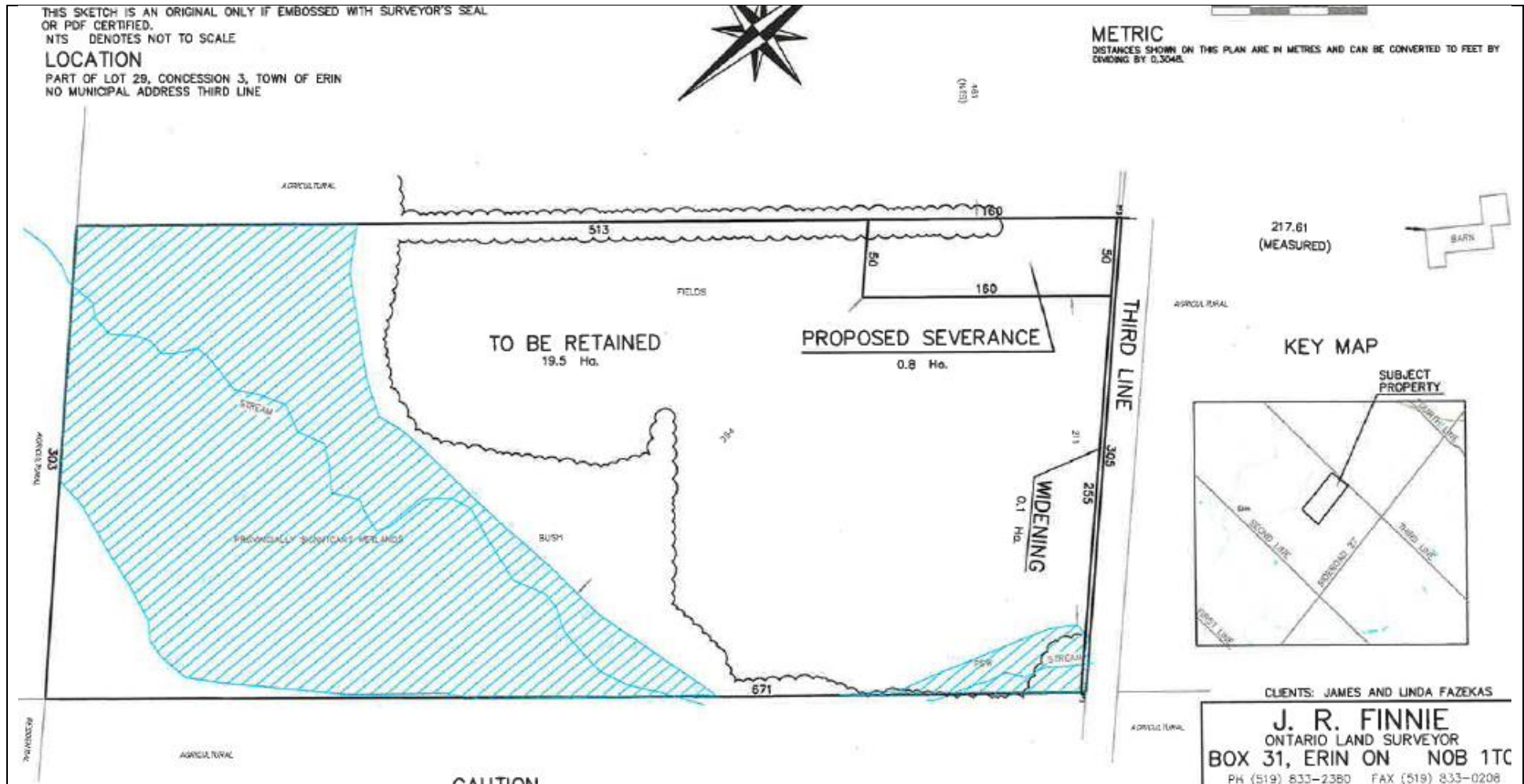
Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin





# Attachment A – Severance Sketch



	<b>File No(s):</b>	A02-23
	<b>Address:</b>	n/a
	<b>Legal Description:</b>	Part Lot 29, Concession 3 E

February 28, 2023





## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A03-23

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A03-23</b>	Subject Property Zoned:	<b>A &amp; EP2</b>
Owners:	<b>Margaret Burt &amp; Nancy Latam</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>Sixth Line</b>		
Legal Description:	<b>Part Lot 25 &amp; 26, Concession 7 West</b>		

#### **Purpose of Application**

The applicants request approval of this application, in order to clear a condition of conditional approval for Consent Application B39-22.

#### **Requested Variance**

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 5.1.2 – Table 4</u> Minimum lot frontage 120 metres	To permit a minimum lot frontage of 97.8 metres.

#### **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.



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

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

**A03-23**

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

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.

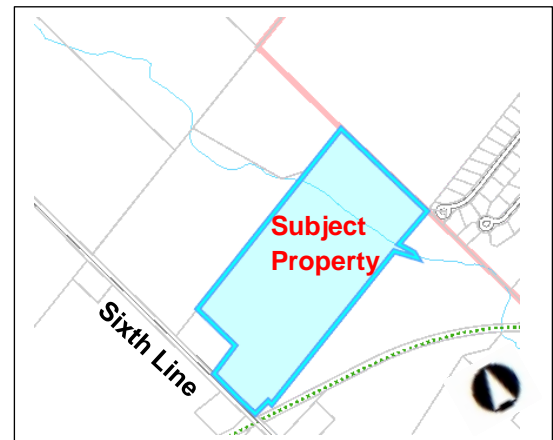
### NOTICE OF DECISION

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.

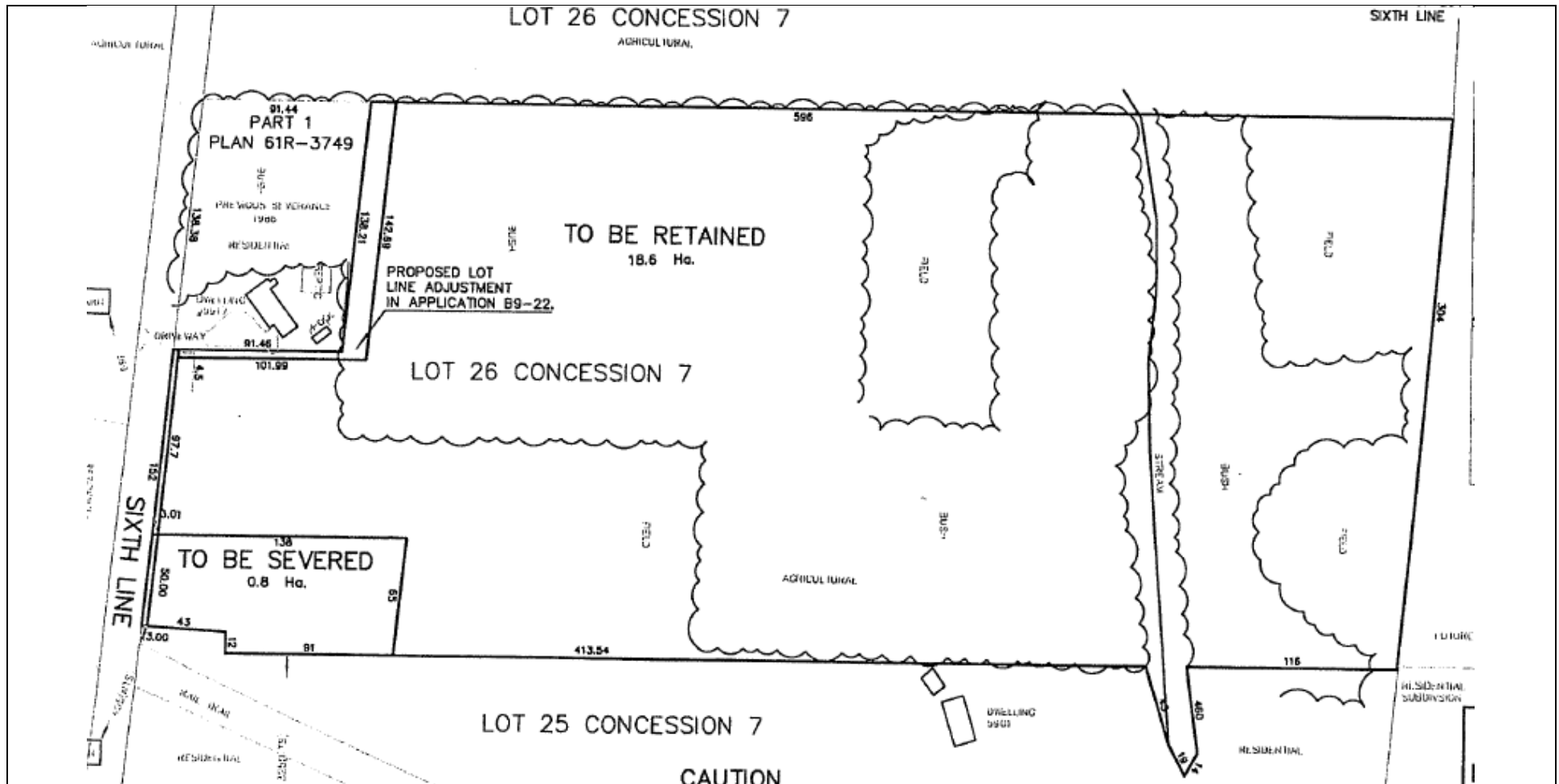
**ADDITIONAL INFORMATION** regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin



## Attachment A – Severance Sketch



**File No(s):**

A03-23

**Address:**

n/a

**Legal Description:**

Part Lot 25 & 26, Concession 7 West

February 28, 2023



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

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

**A04-23**

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A04-23</b>	Subject Property Zoned:	<b>A</b>
Owners:	<b>Steven Clarke</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>5233 Trafalgar Road</b>		
Legal Description:	<b>Part Lot 9, Concession 8 West</b>		

#### **Purpose of Application**

The applicants request approval of this application, in order to construct a detached garage.

#### **Requested Variance**

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Section 4.2.3</u> The building height of an accessory building will not exceed 4.5 metres	To permit an accessory building with a maximum building height of 7.5 metres.

#### **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.



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A04-23

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

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.

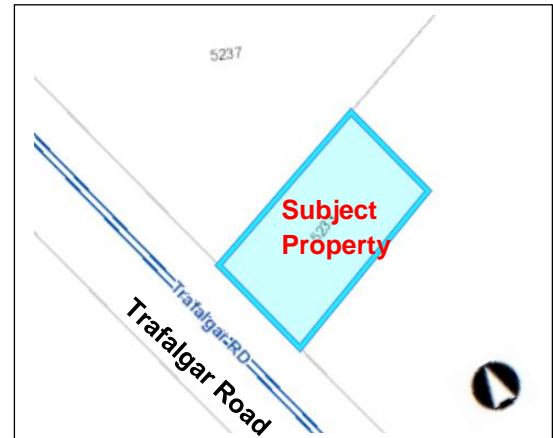
### NOTICE OF DECISION

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.

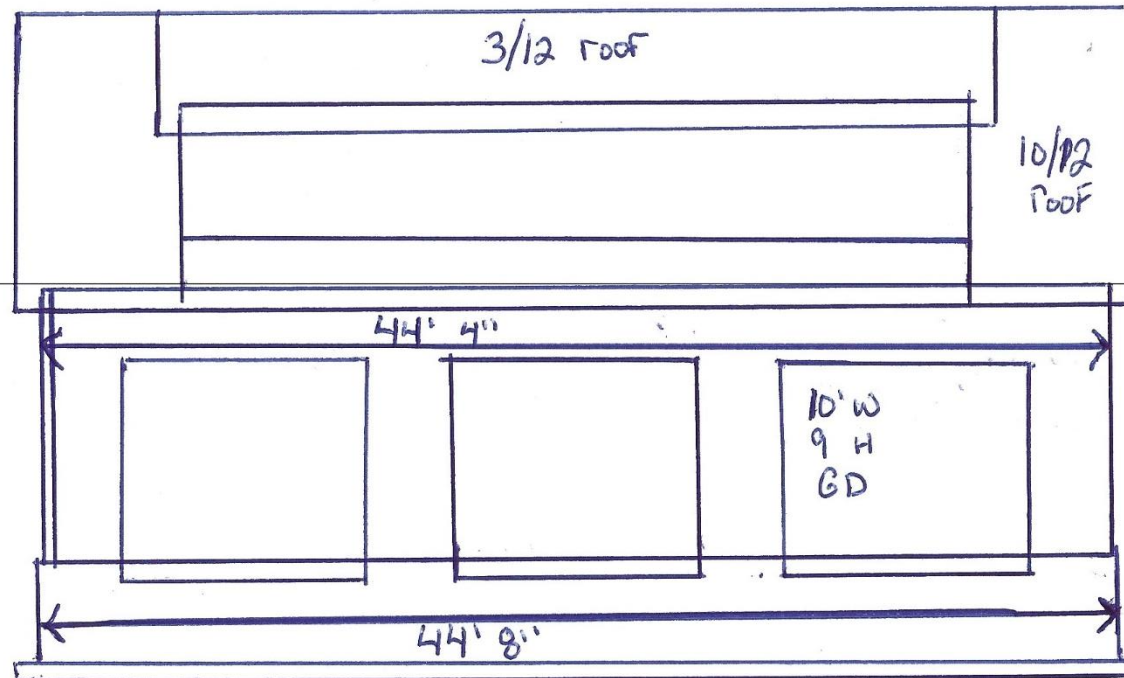
**ADDITIONAL INFORMATION** regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin



## Attachment A – Elevation of Garage



**File No(s):**

A04-23

**Address:**

5233 Trafalgar Road

**Legal Description:**

Part Lot 9, Concession 8 West

February 28, 2023



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A05-23

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A05-23</b>	Subject Property Zoned:	<b>A</b>
Owners:	<b>Scott English</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>5131 Tenth Line</b>		
Legal Description:	<b>Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261</b>		

#### **Purpose of Application**

The applicants request approval of this application, in order to construct a detached garage.

#### **Requested Variances**

Details of the variances are as follows:

<b>By-law Requirement</b>	<b>Relief Applied For</b>
<b>Section 4.2.3</b> The building height of an accessory building will not exceed 4.5 metres	To permit an accessory building with a maximum building height of 5.25 metres.
<b>Section 4.2.4</b> 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 m <sup>2</sup> (1,250 ft <sup>2</sup> )	To permit an accessory building with a maximum ground floor area of 289.9 m <sup>2</sup> .





## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A05-23

*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.

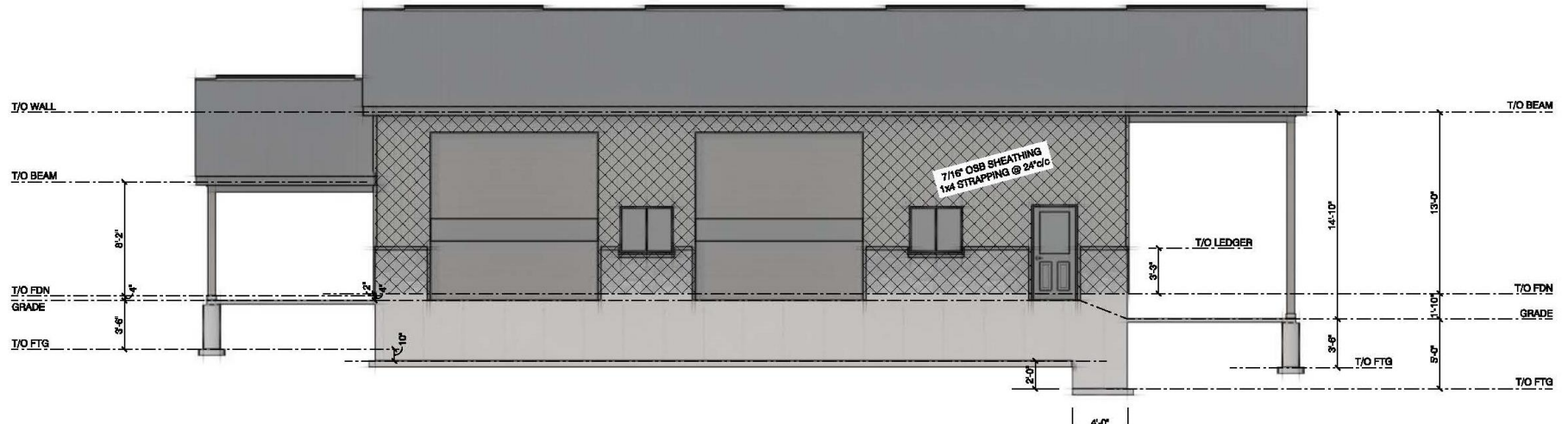
**ADDITIONAL INFORMATION** regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin



## Attachment A – Elevation of Garage



### FRONT ELEVATION

SCALE: 1" = 10'-0"



**File No(s):**

A05-23

**Address:**

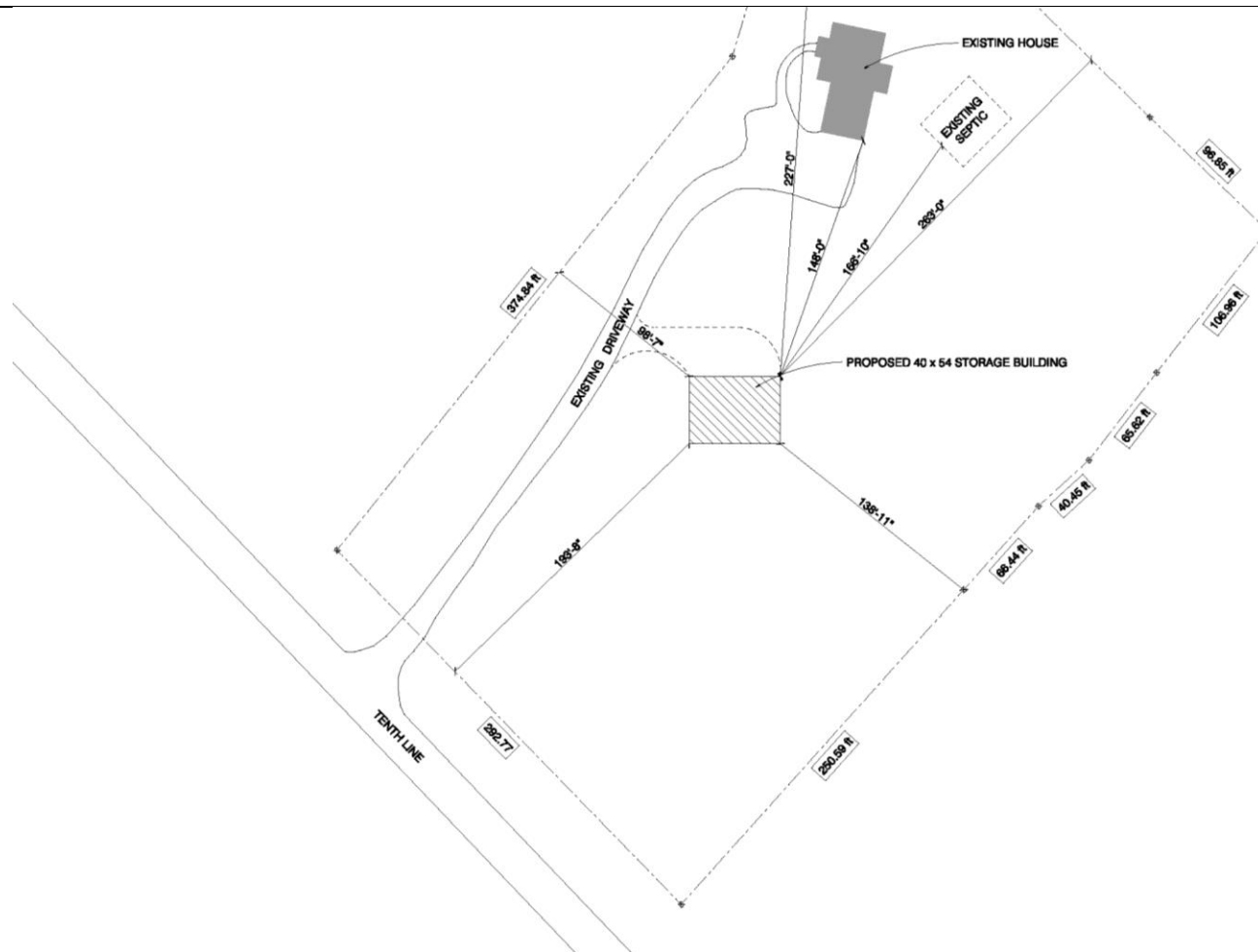
5131 Tenth Line

**Legal Description:**

Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261

February 28, 2023

## Attachment B – Site Plan



**File No(s):**

A05-23

**Address:**

5131 Tenth Line

**Legal Description:**

Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261

**February 28, 2023**



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

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

**A06-23**

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

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

**Date: Wednesday March 15, 2023 at 6:00 pm**

**Location: In-person at Town Hall, Council Chambers**

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

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:	<b>A06-23</b>	Subject Property Zoned:	<b>A &amp; EP2</b>
Owners:	<b>Lynn Zions</b>	Zoning By-law:	<b>07-67</b>
Property Address:	<b>5038 First Line</b>		
Legal Description:	<b>Part Lot 4, Concession 1 East; Part 3 on RP 61R-1814</b>		

#### **Purpose of Application**

The applicant requests approval of this application, in order to clear a condition of provisional consent.

#### **Requested Variance**

Details of the variance is as follows:

By-law Requirement	Relief Applied For
<u>Table 4</u> Minimum lot frontage for lot areas less than 10 hectares is 30 metres.	To permit a minimum lot frontage of 12 metres.

#### **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.



## TOWN OF ERIN COMMITTEE OF ADJUSTMENT

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

**A06-23**

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

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.

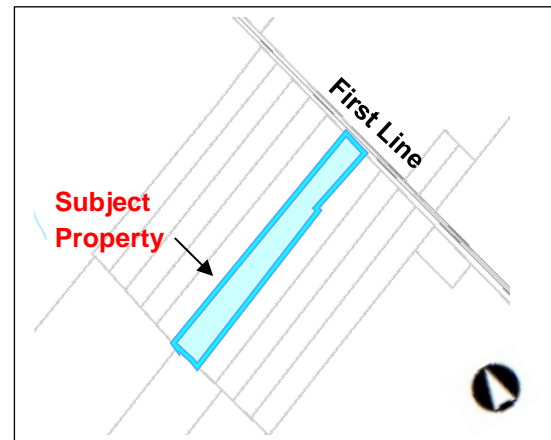
### NOTICE OF DECISION

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.

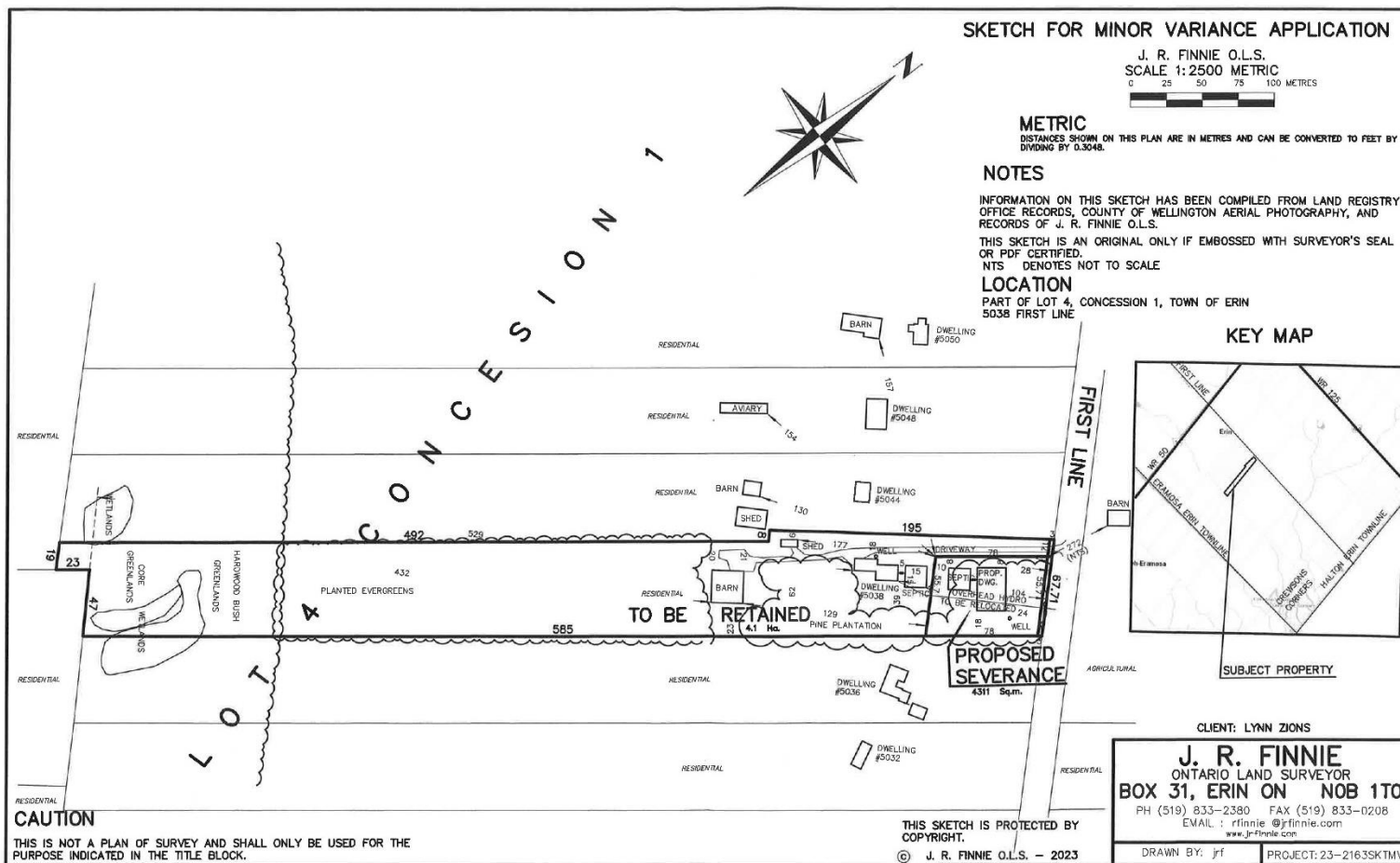
**ADDITIONAL INFORMATION** regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.

Dated at the Town of Erin  
This day of February 28, 2023.

Tanjot Bal, Secretary-Treasurer  
Town of Erin  
5684 Trafalgar Road  
Hillsburgh, ON N0B 1Z0  
P 519.855.4407 X242  
Town of Erin



# Attachment A – Severance Sketch



**File No(s):**

A06-23

**Address:**

5038 First Line

**Legal Description:**

Part Lot 4, Concession 1 East; Part 3 on RP 61R-1814

**February 28, 2023**



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A01-23  
(Karen Thompson-Harry & John Harry)  
5321 Sixth Line  
Part Lot 11, Concession 7 W

---

### Application

The applicants request relief from Zoning By-law 07-67, as amended, to reduce the Minimum Distance Separation I to 104 metres, whereas the By-law requires a Minimum Distance Separation I of 177 metres.

The applicants request approval of this minor variance application, in order to clear a condition of conditional approval for Consent Application B82-21 (see Attachment A – Severance Sketch).

---

### 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, subject to the following condition:

- That the severed lot be subject to a minimum front yard setback of 20 metres.
- 

### 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>• The subject property is designated Secondary Agricultural Core Greenlands and Greenlands in Erin's Official Plan.</li></ul>



	<ul style="list-style-type: none"> <li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li> <li>• Lot creation within the Secondary Agricultural Area shall be subject to Section 6.5 and 10.4 of Wellington County's Official Plan.</li> <li>• Section 6.5.6 of the County's Official Plan states that lot creation shall be subject to Minimum Distance Separation (MDS) requirements.</li> <li>• Section 10.4.4 a) of the County's Official Plan states that new residential lots within the Secondary Agricultural Area must meet a minimum lot size of 0.4 of a hectare to accommodate a dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage system features, hazardous lands and MDS requirements.</li> <li>• The proposed variance to reduce the MDS I setback from the barn located at 5312 Sixth Line will ensure the proposed severed lot complies with the intent and purpose of the Official Plan.</li> <li>• Section 4.2.3 of the Town's Official Plan states that an MDS II calculation can be made to consider the potential for expansion for a neighbouring farm property, and to be considered as part of the review of the application.</li> <li>• An MDS II calculation has been completed for the potential expansion of the barn located at 5321 Sixth Line. In order to protect for the future expansion of this barn, any dwelling erected on the severed parcel would need to be setback 129 metres from the barn. Planning staff recommend increasing the minimum front yard setback from 10.5 metres to 20 metres, to ensure this 129 metres setback is maintained.</li> </ul>
<p>That the general intent and purpose of the <b>Zoning By-law</b> is maintained and the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure.</p>	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A) in Erin's Zoning By-law 07-67, as amended.</li> <li>• A detached dwelling is permitted within the A Zone.</li> <li>• Section 4.22 of the By-law requires new non-agricultural uses to comply with the MDS I calculations using the Formulas set out by the Province.</li> <li>• Using the Province's Formula, the MDS I setback required from the barn located at 5312 Sixth line is 177 metres.</li> <li>• In order to comply with the general intent and purpose of the Zoning By-law, the applicants are requesting to reduce the required setbacks.</li> </ul>

	<ul style="list-style-type: none"> <li>Planning Staff are of the opinion that the proposal conforms to the intent and purpose of the Zoning By-law and the variance is desirable for the appropriate development of the land, provided the future dwelling on the severed parcel is setback 129 metres from the existing barn located at 5312 Sixth Line.</li> </ul>
That the variance is <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>The introduction of a reduced MDS I setback is considered minor in nature, provided the future dwelling erected on the severed parcel does not prevent the agricultural property from expanding its livestock facility.</li> </ul>

## PUBLIC, AGENCY, & TOWN COMMENTS

### County of Wellington Planning

- The subject lands are designated as Secondary Agriculture and Greenlands in the County Official Plan. Staff note that the proposed variance is to satisfy condition of severance (B82/21) that was conditionally approved at the December 2021 Land division Committee Meeting. The reduction request is to a barn on 5312 Sixth Line.
- MDS guideline #43 states, "MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS document. Examples may include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards". Overall, Planning staff have no comments or concerns with the proposed minor variance application.

### County of Wellington Roads

- As of writing this report, no comments received.

### Town of Erin Infrastructure Services

- No comments.

### Town of Erin Building Services

- As of writing this report, no comments received.

### Town of Erin Fire Services

- As of writing this report, no comments received.

### Grand River Conservation Authority

- GRCA staff previously provided comments on the consent application. The minor variance application is needed to satisfy conditions of approval for the related consent application. Further to our related comments, GRCA staff have no objection to the approval of the application.

### Source Water Protection

- No comments.

### Canada Post

- No comments.

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.

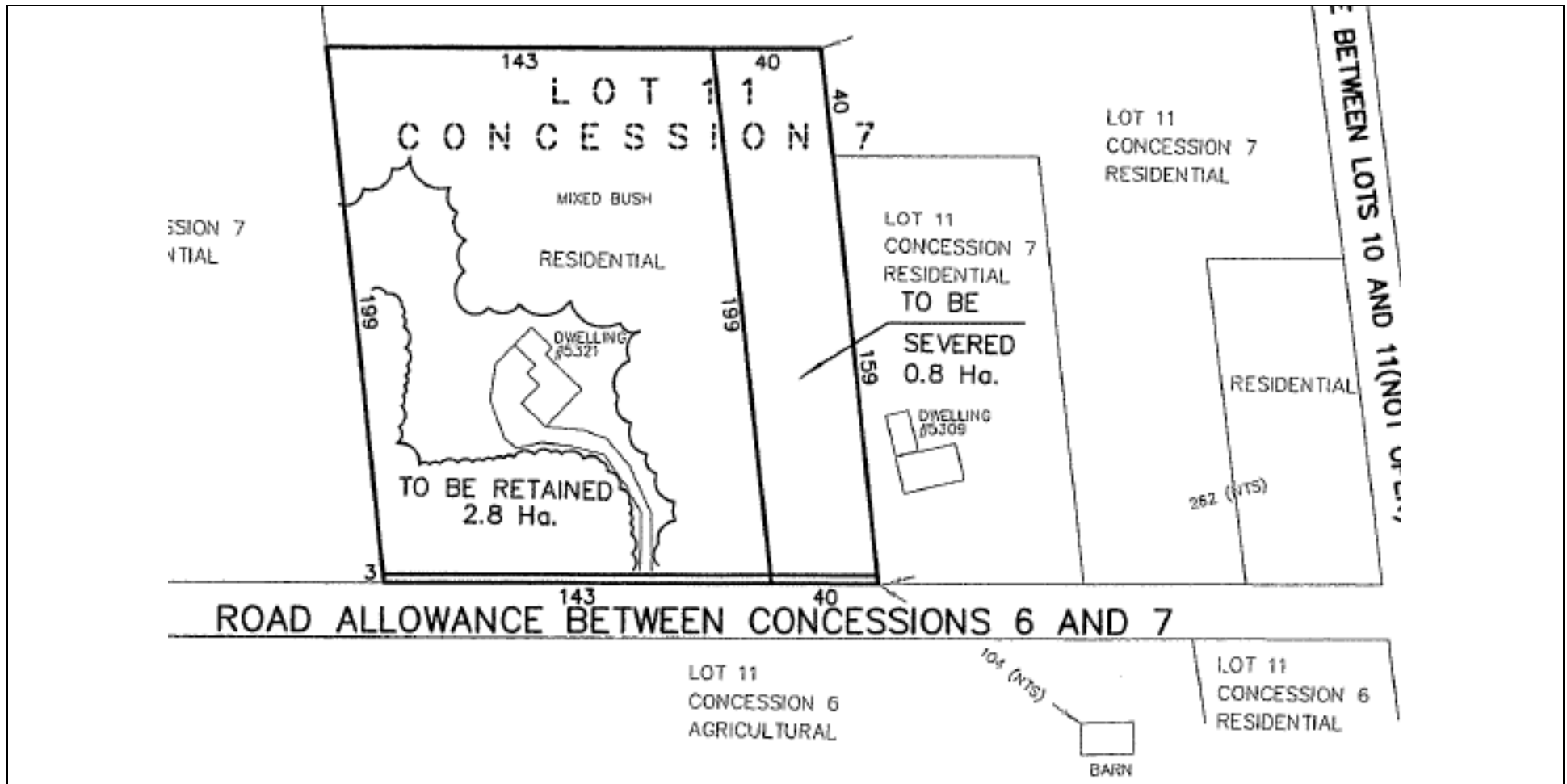
Yours truly,

A handwritten signature in black ink, appearing to read 'Jack Krubnik', with a stylized, cursive script.

Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Severance Sketch

## Attachment A – Site Plan



**File No(s):**

A01-23

**Address:**

5321 Sixth Line

**Legal Description:**

Part Lot 11, Concession 7 W

February 28, 2023



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A02-23  
(Linda & James Fazekas)  
Third Line  
Part Lot 29, Concession 3 East

---

### Application

The applicants request relief from Zoning By-law 07-67, as amended, to reduce the Minimum Distance Separation I to 217 metres, whereas the By-law requires a Minimum Distance Separation I of 268 metres.

The applicants request approval of this minor variance application, in order to clear a condition of conditional approval for Consent Application B81-22 (see Attachment A – Severance Sketch).

---

### 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>• The subject property is designated Secondary Agricultural Core Greenlands and Greenlands in Erin's Official Plan.</li><li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li></ul>

	<ul style="list-style-type: none"> <li>• Lot creation within the Secondary Agricultural Area shall be subject to Section 6.5 and 10.4 of Wellington County's Official Plan.</li> <li>• Section 6.5.6 of the County's Official Plan states that lot creation shall be subject to Minimum Distance Separation (MDS) requirements.</li> <li>• Section 10.4.4 a) of the County's Official Plan states that new residential lots within the Secondary Agricultural Area must meet a minimum lot size of 0.4 of a hectare to accommodate a dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage system features, hazardous lands and MDS requirements.</li> <li>• The proposed variance to reduce the MDS I setback from the barn located at 6035 Third Line will ensure the proposed severed lot complies with the intent and purpose of the Official Plan.</li> <li>• Section 4.2.3 of the Town's Official Plan states that an MDS II calculation can be made to consider the potential for expansion for a neighbouring farm property, and to be considered as part of the review of the application.</li> <li>• An MDS II calculation has been completed for the potential expansion of the barn located at 6035 Third Line. The required setback between the barn and the future detached dwelling is 156 metres. Since the requested relief is to reduce the MDS I setback to 217 metres, the agricultural property is protected for a future expansion of the livestock facility.</li> </ul>
<p>That the general intent and purpose of the <b>Zoning By-law</b> is maintained, the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure, and the variance is minor in nature.</p>	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A) in Erin's Zoning By-law 07-67, as amended.</li> <li>• A detached dwelling is permitted within the A Zone.</li> <li>• Section 4.22 of the By-law requires new non-agricultural uses to comply with the MDS I calculations using the Formulas set out by the Province.</li> <li>• Using the Province's Formula, the MDS I setback required from the barn located at 6035 Third Line is 268 metres.</li> <li>• In order to comply with the general intent and purpose of the Zoning By-law, the applicants are requesting to reduce the required setbacks.</li> <li>• As the requested relief is greater than the calculated MDS II setback based on a potential expansion to the existing barn, staff are of the opinion that the requested variance meets the intent and purpose of the Zoning By-law, will result in development that is</li> </ul>

	appropriate for the location and is considered minor in nature.
--	---

## **PUBLIC, AGENCY, & TOWN COMMENTS**

### County of Wellington Planning

- The subject lands are designated as Secondary Agriculture, Core Greenlands and Greenlands in the County Official Plan. Identified features include Significant Wooded Areas, Provincially Significant Wetlands and GRCA regulated Floor Plain and Wetlands. Staff note that the proposed variance is to satisfy condition of severance (B81/22) that was conditionally approved at the September 2022 Land division Committee Meeting. The reduction request is to a barn on 6035 Third Line.
- MDS guideline #43 states, “MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS document. Examples may include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards”. Overall, Planning staff have no comments or concerns with the proposed minor variance application.

### County of Wellington Roads

- As of writing this report, no comments received.

### Town of Erin Infrastructure Services

- No comments.

### Town of Erin Building Services

- As of writing this report, no comments received.

### Town of Erin Fire Services

- As of writing this report, no comments received.

### Grand River Conservation Authority

- GRCA staff previously provided comments on the consent application. The minor variance application is needed to satisfy conditions of approval for the related consent application. Further to our related comments, GRCA staff have no objection to the approval of the application.

### Source Water Protection

- No comments

### Canada Post

- No comments

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,

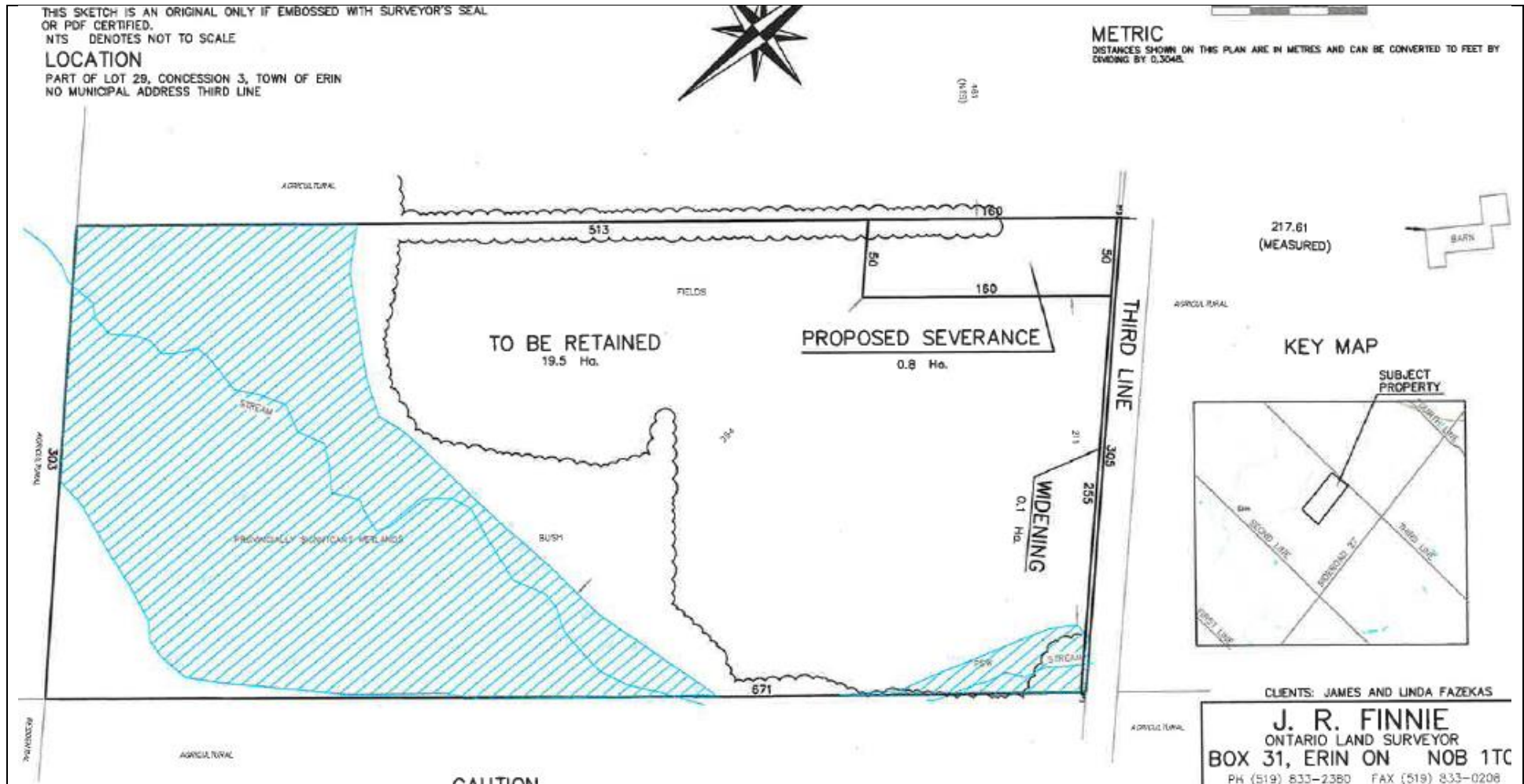


A handwritten signature in black ink, appearing to read 'Jack Krubnik', with a stylized, cursive script.

Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Severance Sketch

# Attachment A – Severance Sketch



	<b>File No(s):</b>	A02-23
	<b>Address:</b>	n/a
	<b>Legal Description:</b>	Part Lot 29, Concession 3 E

February 28, 2023



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A03-23  
(Margaret Burt & Nancy Latam)  
Sixth Line  
Part Lot 25 & 26, Concession 7 West

---

### Application

The applicants request relief from Zoning By-law 07-67, as amended, to permit a minimum lot frontage of 97.8 metres, whereas the By-law requires a minimum lot frontage of 120 metres.

The applicants request approval of this minor variance application, in order to clear a condition of conditional approval for Consent Application B39-22 (see Attachment A – Severance Sketch).

---

### 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>• The subject property is designated Secondary Agricultural Core Greenlands and Greenlands in Erin's Official Plan.</li><li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li></ul>

	<ul style="list-style-type: none"> <li>• Lot creation within the Secondary Agricultural Area shall be subject to Section 6.5 and 10.4 of Wellington County's Official Plan.</li> <li>• Section 10.4.4 a) of the County's Official Plan states that new residential lots within the Secondary Agricultural Area must meet a minimum lot size of 0.4 of a hectare to accommodate a dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage system features, hazardous lands and MDS requirements.</li> <li>• The proposal meets the intent and purpose of the Official Plan.</li> </ul>
That the general intent and purpose of the <b>Zoning By-law</b> is maintained and the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure.	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A) in Erin's Zoning By-law 07-67, as amended.</li> <li>• A detached dwelling is permitted within the A Zone. The minimum lot frontage requirement for lots 10 hectares in size or more is 120 metres. The proposed severance will result in a retained parcel with 97.8 metres of frontage onto Sixth Line.</li> <li>• The purpose of the minimum lot frontage requirement is to avoid fragmentation of agricultural lots and to ensure they are an appropriate size. The retained lot is over 18 hectares, and therefore there is sufficient farmland.</li> <li>• In addition, the proposed severance will result in a rural residential lot along Sixth Line. As there are other rural residential lots, this use is appropriate for the area.</li> <li>• Staff are of the opinion that 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.</li> </ul>
That the variance is <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>• Planning staff did not have any objections to the proposed severance application. This variance application is a condition of approval.</li> <li>• The requested relief is statistically less than 20%.</li> <li>• Staff are of the opinion that the variance is minor in nature.</li> </ul>

## PUBLIC, AGENCY, & TOWN COMMENTS

### County of Wellington Planning

- The subject lands are designated as Secondary Agriculture and Core Greenlands in the County Official Plan. Identified features include Significant Wooded Areas, and CVCA regulated Subwatershed Environmentally Priority Areas. Staff note that the proposed variance is to satisfy condition of severance

(B39/22) that was conditionally approved at the June 2022 Land division Committee Meeting. Overall, Staff do not have any concerns with the proposed Minor Variance Application.

County of Wellington Roads

- As of writing this report, no comments received.

Town of Erin Infrastructure Services

- No comments.

Town of Erin Building Services

- As of writing this report, no comments received.

Town of Erin Fire Services

- As of writing this report, no comments received.

Credit Valley Conservation Authority

- No comments.

Grand River Conservation Authority

- GRCA staff previously provided comments on the consent application. The minor variance application is needed to satisfy conditions of approval for the related consent application. Further to our related comments, GRCA staff have no objection to the approval of the application.

Source Water Protection

- No comments.

Canada Post

- No comments.

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.

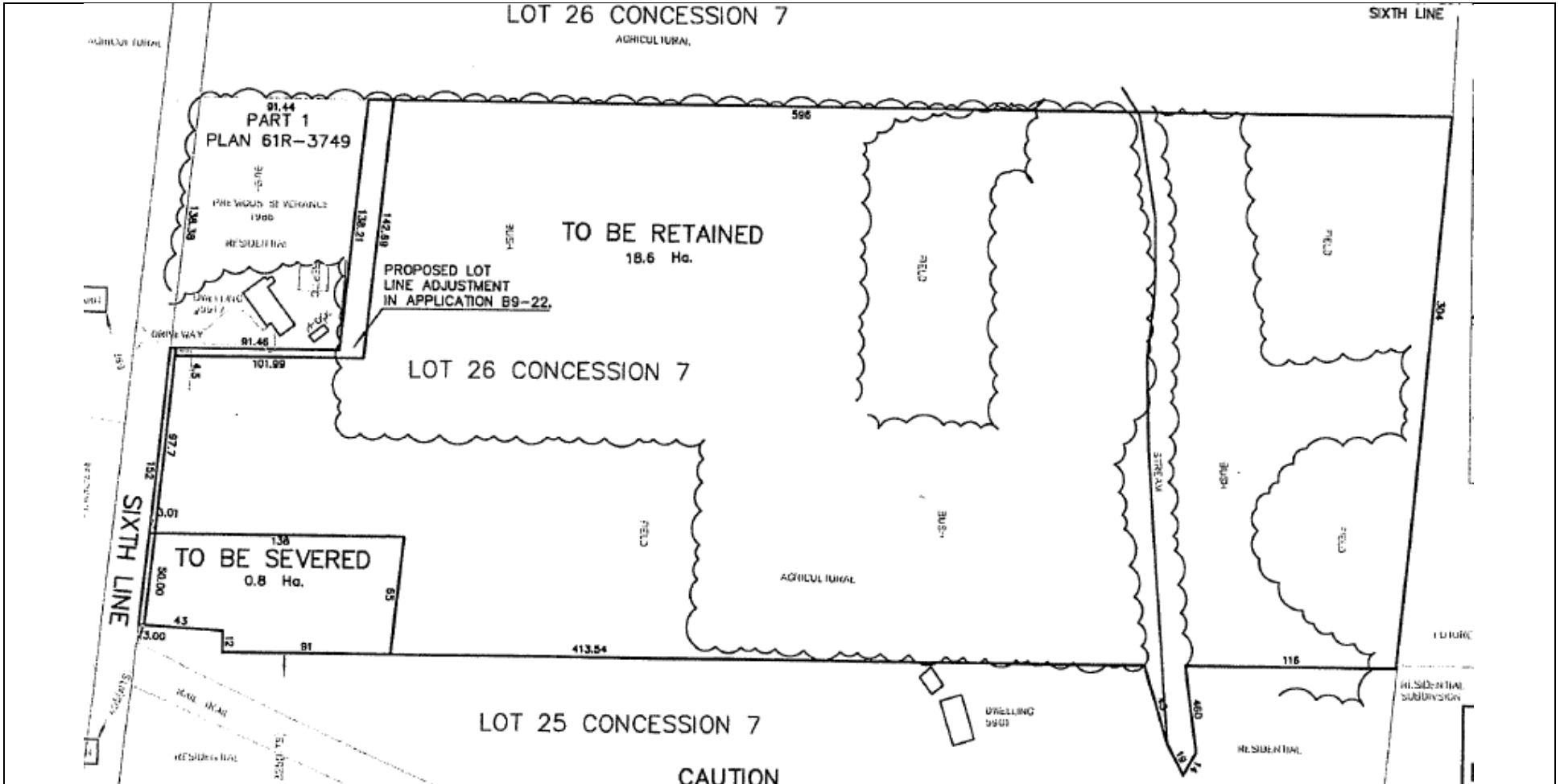
Yours truly,



Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Severance Sketch

## Attachment A – Severance Sketch



**File No(s):**

A03-23

**Address:**

n/a
-----

### Legal Description:

Part Lot 25 &amp; 26, Concession 7 West

**February 28, 2023**



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A04-23  
(Steven Clarke)  
5233 Trafalgar Road  
Part Lot 9, Concession 8 West

---

### Application

The applicant requests relief from Zoning By-law 07-67, as amended, to permit an accessory building with a maximum building height of 7.5 metres, whereas the By-law permits accessory buildings to have a maximum height of 4.5 metres.

The applicant requests approval of this minor variance application, in order to construct a detached garage (see Attachment A – Elevation of Garage).

---

### 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>• The subject property is designated Secondary Agricultural in Erin's Official Plan.</li><li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li><li>• A detached dwelling and accessory buildings are permitted within the Secondary Agricultural Area.</li></ul>



	<ul style="list-style-type: none"> <li>The proposal meets the intent and purpose of the Official Plan.</li> </ul>
That the general intent and purpose of the <b>Zoning By-law</b> is maintained and the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure.	<ul style="list-style-type: none"> <li>The subject property is zoned Agricultural (A) in Erin's Zoning By-law 07-67, as amended.</li> <li>An accessory structure is permitted, submit to the maximum height, size and location provisions within the By-law.</li> <li>The maximum height provision ensures that accessory buildings are an appropriate size for residential usage. A height greater than 4.5 metres is only permitted for agricultural uses.</li> <li>The applicant is requesting relief from the height provision to allow for a second floor above the 3 car garage, to be used for storage.</li> <li>The lower level will be used to park vehicles, and therefore there isn't adequate room for storage. Without the added space, the applicant may be required to store outdoors or construct an additional structure.</li> <li>The frontage of the property is screened by large trees. This will reduce the visibility of the garage from the street, mitigating any negative impact to the streetscape.</li> <li>Staff are of the opinion that 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.</li> </ul>
That the variance is <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>Staff are of the opinion that the requested variance is considered minor in nature, as the construction of the garage will prevent outdoor storage of vehicles and equipment, and the structure will be adequately screened from the street.</li> </ul>

## PUBLIC, AGENCY, & TOWN COMMENTS

### County of Wellington Planning

- The subject lands are designated as Secondary Agriculture in the County Official Plan. Planning staff notes that the proposed variance would permit the construction of an accessory structure. Overall, Staff do not have any concerns with the proposed Minor Variance application.

### County of Wellington Roads

- As of writing this report, no comments received.

### Town of Erin Infrastructure Services

- No comments.

### Town of Erin Building Services

- As of writing this report, no comments received.

Town of Erin Fire Services

- As of writing this report, no comments received.

Grand River Conservation Authority

- GRCA has no objection to the approval of application A04-23. The subject property does not contain any natural hazards such as watercourses, floodplains, shorelines, wetlands, or valley slopes. The property is not subject to Ontario Regulation 150/06 and, therefore, a permission from GRCA is not required.

Source Water Protection

- No comments.

Canada Post

- No comments.

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.

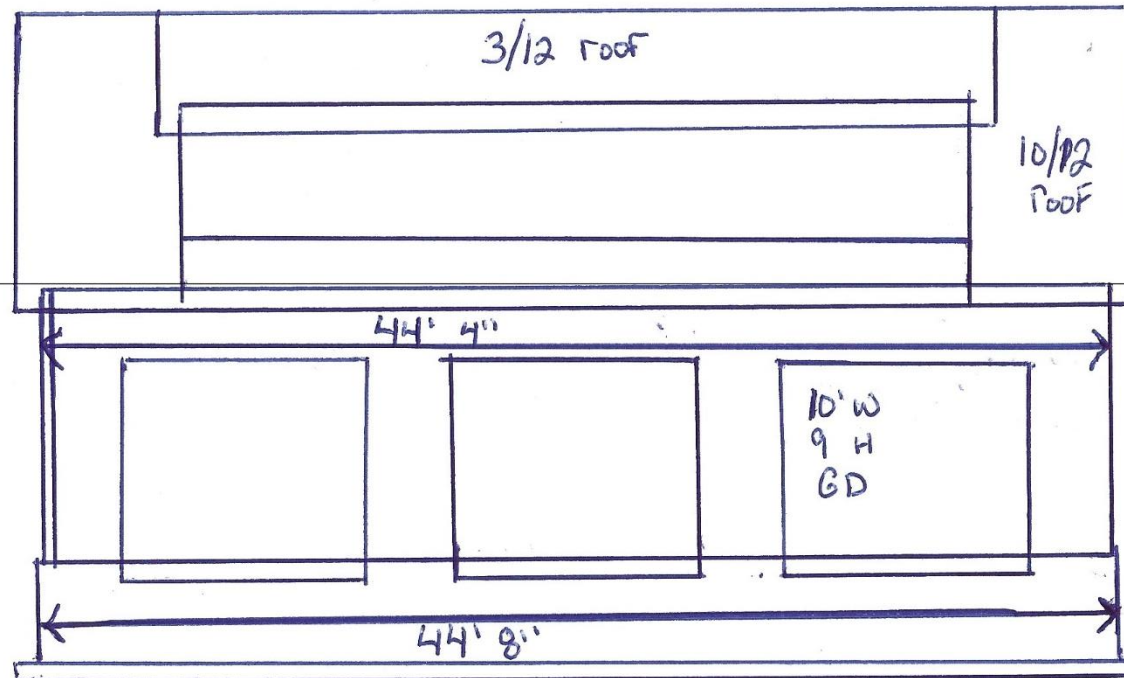
Yours truly,



Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Elevation of Garage

## Attachment A – Elevation of Garage



**File No(s):**

A04-23

**Address:**

5233 Trafalgar Road

**Legal Description:**

Part Lot 9, Concession 8 West

February 28, 2023



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A05-23  
(Scott English)  
5131 Tenth Line  
Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261

---

### Application

The applicant requests relief from Zoning By-law 07-67, as amended, to permit an accessory building with:

- a maximum building height of 5.25 metres, whereas the By-law permits accessory buildings to have a maximum height of 4.5 metres; and
- a maximum ground floor area of 289.9 m<sup>2</sup>, whereas the by-law permits a maximum ground floor area of 116 m<sup>2</sup>.

The applicant requests approval of this minor variance application, in order to construct a detached garage (see Attachment A – Elevation of Garage).

---

### Recommendation

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

---

### 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>• The subject property is designated Secondary Agricultural in Erin's Official Plan.</li></ul>

	<ul style="list-style-type: none"> <li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li> <li>• A detached dwelling and accessory buildings are permitted within the Secondary Agricultural Area.</li> <li>• The proposal meets the intent and purpose of the Official Plan.</li> </ul>
That the general intent and purpose of the <b>Zoning By-law</b> is maintained and the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure.	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A) in Erin's Zoning By-law 07-67, as amended.</li> <li>• An accessory structure is permitted, submit to the maximum height, size and location provisions within the By-law.</li> <li>• The maximum height and size provision ensures that accessory buildings are an appropriate size for residential usage. A height greater than 4.5 metres is only permitted for agricultural uses.</li> <li>• The applicant is requesting relief from the height provision to allow a motorhome to be parked indoors.</li> <li>• The applicant is also requesting relief from the size provision, to allow for the storage of recreational vehicles and lawn equipment.</li> <li>• The requested relief will result in no outdoor storage, which is appropriate and preferred for residential properties.</li> <li>• Staff are of the opinion that 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.</li> </ul>
That the variance is <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>• The applicant is requesting a minor increase in the height and size to eliminate any outdoor storage for a residential property. Staff are of the opinion that the requested relief is minor in nature.</li> </ul>

## PUBLIC, AGENCY, & TOWN COMMENTS

### County of Wellington Planning

- The subject lands are designated as Secondary Agricultural and Greenlands in the County Official Plan. The proposed variance for additional height and area would permit the construction of an accessory structure. Planning staff note that the proposed accessory structure is located just outside the Greenland designation which will also assist with screening the building. Overall, Staff do not have any concerns with the proposed Minor Variance application.

### County of Wellington Roads

- As of writing this report, no comments received.

### Town of Erin Infrastructure Services

- No comments.

Town of Erin Building Services

- As of writing this report, no comments received.

Town of Erin Fire Services

- As of writing this report, no comments received.

Credit Valley Conservation Authority

- As of writing this report, no comments received.

Source Water Protection

- No comments.

Canada Post

- No comments.

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.

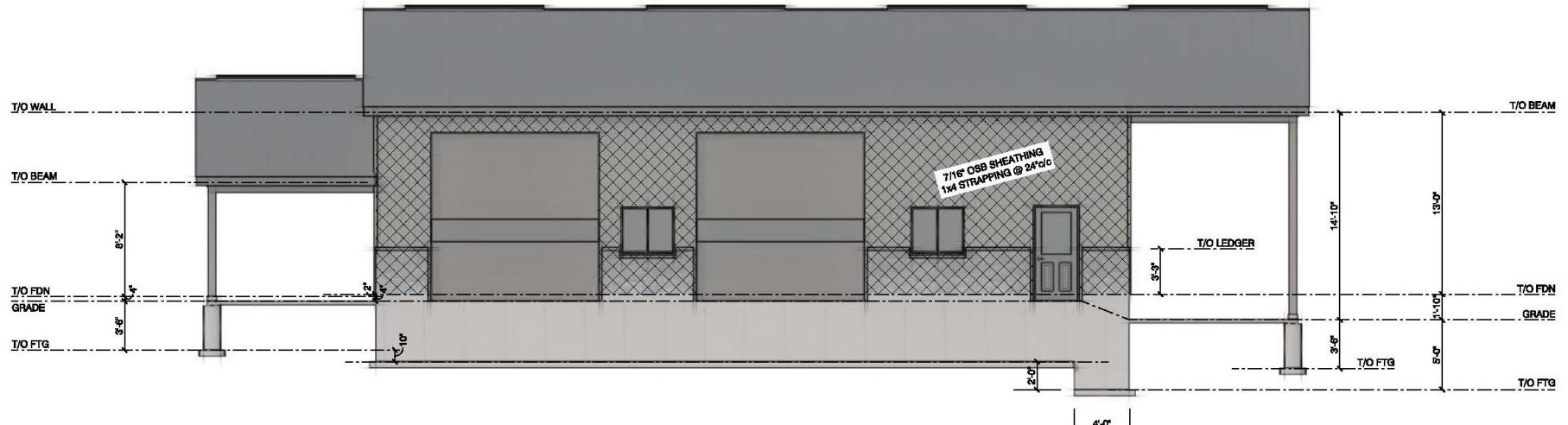
Yours truly,

A handwritten signature in black ink, appearing to read 'Jack Krubnik', with a stylized, cursive script.

Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Elevation of Garage  
Attachment B – Site Plan

## Attachment A – Elevation of Garage



### FRONT ELEVATION

SCALE: 1" = 10'-0"



**File No(s):**

A05-23

**Address:**

5131 Tenth Line

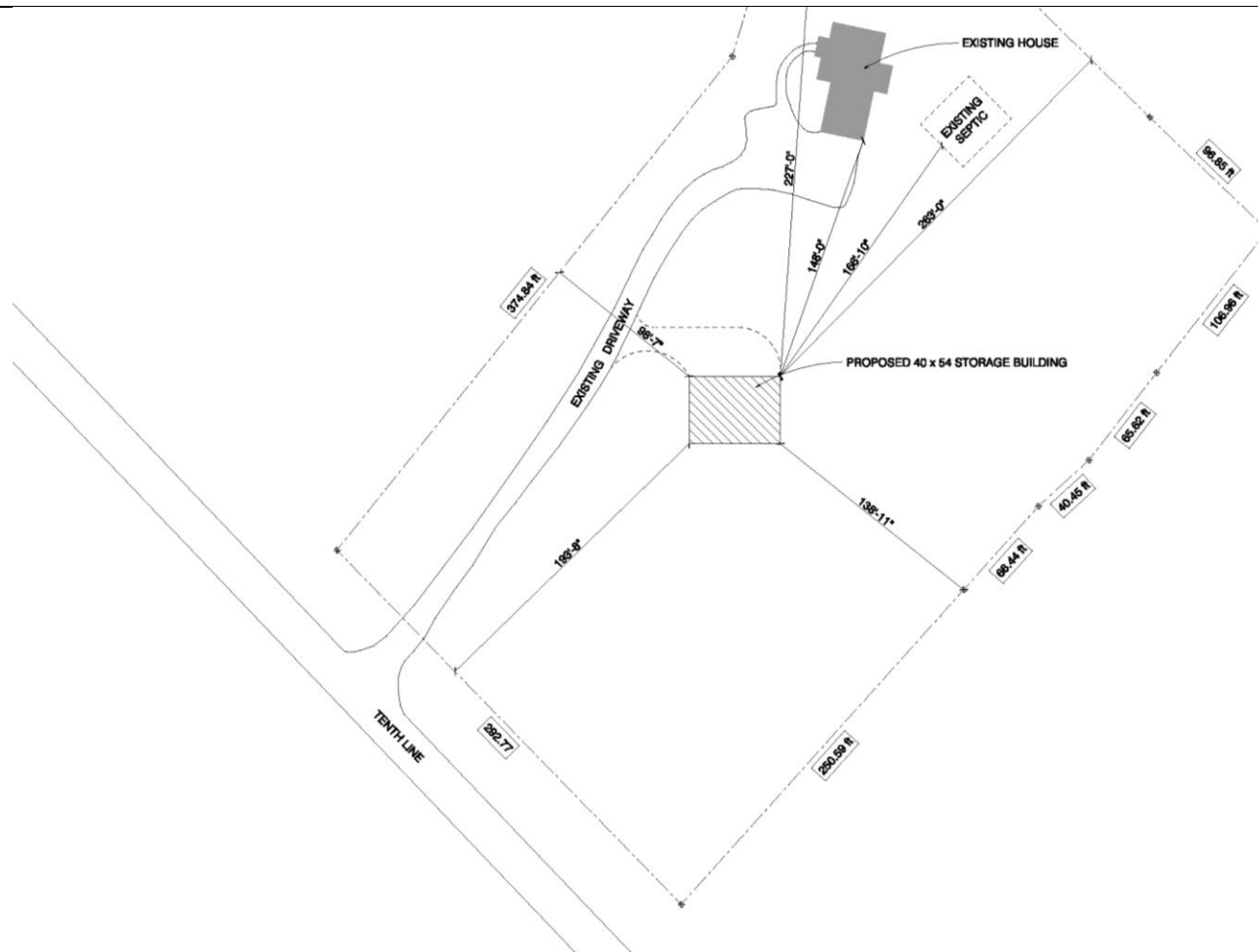
**Legal Description:**

Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261

February 28, 2023



## Attachment B – Site Plan



<b>File No(s):</b>	A05-23
<b>Address:</b>	5131 Tenth Line
<b>Legal Description:</b>	Part Lot 6, Concession 11; Parts 4 to 9 on RP 61R-21261

**February 28, 2023**



## 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](mailto:tanjot.bal@erin.ca)

---

**DATE:** March 10, 2023

**TO:** Tanjot Bal, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jack Krubnik, Director of Planning and Development

**SUBJECT:** MINOR VARIANCE APPLICATION A06-23  
(Lynn Zions)  
5038 First Line  
Part Lot 4, Concession 1 East; Part 3 on RP 61R-1814

---

### Application

The applicant requests relief from Zoning By-law 07-67, as amended, to permit a minimum lot frontage of 12 metres, whereas the By-law requires a minimum lot frontage of 30 metres.

The applicant requests approval of this minor variance application, in order to clear a condition of provisional approval for application B27-22 (see Attachment A – Severance Sketch).

---

### Recommendation

It is Planning Staff's opinion that this variance is not minor in nature, is not desirable for the appropriate development of the land, and does not meet the intent of Erin's Zoning By-law, and therefore recommends **Refusal** 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 <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>Majority of the subject property is designated Secondary Agricultural, and the rear of the property is designated Core Greenlands and Greenlands in Erin's Official Plan.</li></ul>

	<ul style="list-style-type: none"> <li>• Agricultural uses are the primary use within the Secondary Agricultural Area, however rural residential lots are also permitted.</li> <li>• Lot creation within the Secondary Agricultural Area shall be subject to Section 10.4 of Wellington County's Official Plan.</li> <li>• Section 10.4.4 a) of the County's Official Plan states that new residential lots within the Secondary Agricultural Area must meet a minimum lot size of 0.4 of a hectare to accommodate a dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage system features, hazardous lands and MDS requirements.</li> <li>• The proposed severance adheres to the Official Plan Policies, and therefore the proposed variance meets the intent and purpose of the Official Plan.</li> </ul>
That the general intent and purpose of the <b>Zoning By-law</b> is maintained and the variance is <b>desirable</b> for the appropriate development and use of the land, building, or structure.	<ul style="list-style-type: none"> <li>• The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2) in Erin's Zoning By-law 07-67, as amended.</li> <li>• The minimum lot area and lot frontage requirement within the A Zone is 0.4 of a hectare in size with 30 metres of frontage.</li> <li>• The proposed severance will result in a retained parcel with a deficient lot frontage of 12 metres, which is only 40% of the required lot frontage.</li> <li>• The purpose of the minimum lot frontage and minimum lot area requirement is to maintain an appropriate lot configuration within the agricultural area and adequate sizing for private servicing.</li> <li>• Although the retained lot is an adequate size for private servicing, the requested relief will result in a lot fabric inconsistent with the lots along First Line.</li> <li>• The retained lot is the only parcel with a narrow frontage that is only for access/driveway. Approval of the requested variance will result in a development that is not appropriate for the location.</li> <li>• It is Planning Staff's opinion that the requested variance does not maintain the intent and purpose of the Zoning By-law, and will result in development that is not desirable for the rural area.</li> </ul>
That the variance is <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>• The requested relief from the minimum lot frontage requirement, in order to permit a lot that has an inconsistent lotting pattern, is not considered minor.</li> <li>• It is Staff's opinion that the proposal to reduce the minimum lot frontage requirement necessitates an amendment to the Town's Zoning By-law, through a rezoning.</li> </ul>

## **PUBLIC, AGENCY, & TOWN COMMENTS**

### County of Wellington Planning

- The subject lands are designated as Secondary Agricultural, Core Greenlands and Greenlands in the County Official Plan. Staff note that the proposed variance is to satisfy condition of severance (B27/22) that was conditionally approved at the May 2022 Land division Committee Meeting. Overall, Staff do not have any concerns with the proposed Minor Variance Application.

### County of Wellington Roads

- As of writing this report, no comments received.

### Town of Erin Infrastructure Services

- No comments.

### Town of Erin Building Services

- As of writing this report, no comments received.

### Town of Erin Fire Services

- As of writing this report, no comments received.

### Grand River Conservation Authority

- GRCA staff previously provided comments on the consent application. The minor variance application is needed to satisfy conditions of approval for the related consent application. Further to our related comments, GRCA staff have no objection to the approval of the application.

### Source Water Protection

- No comments.

### Canada Post

- No comments.

In conclusion, Planning Staff is of the opinion that the requested variance does not meet three of 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.

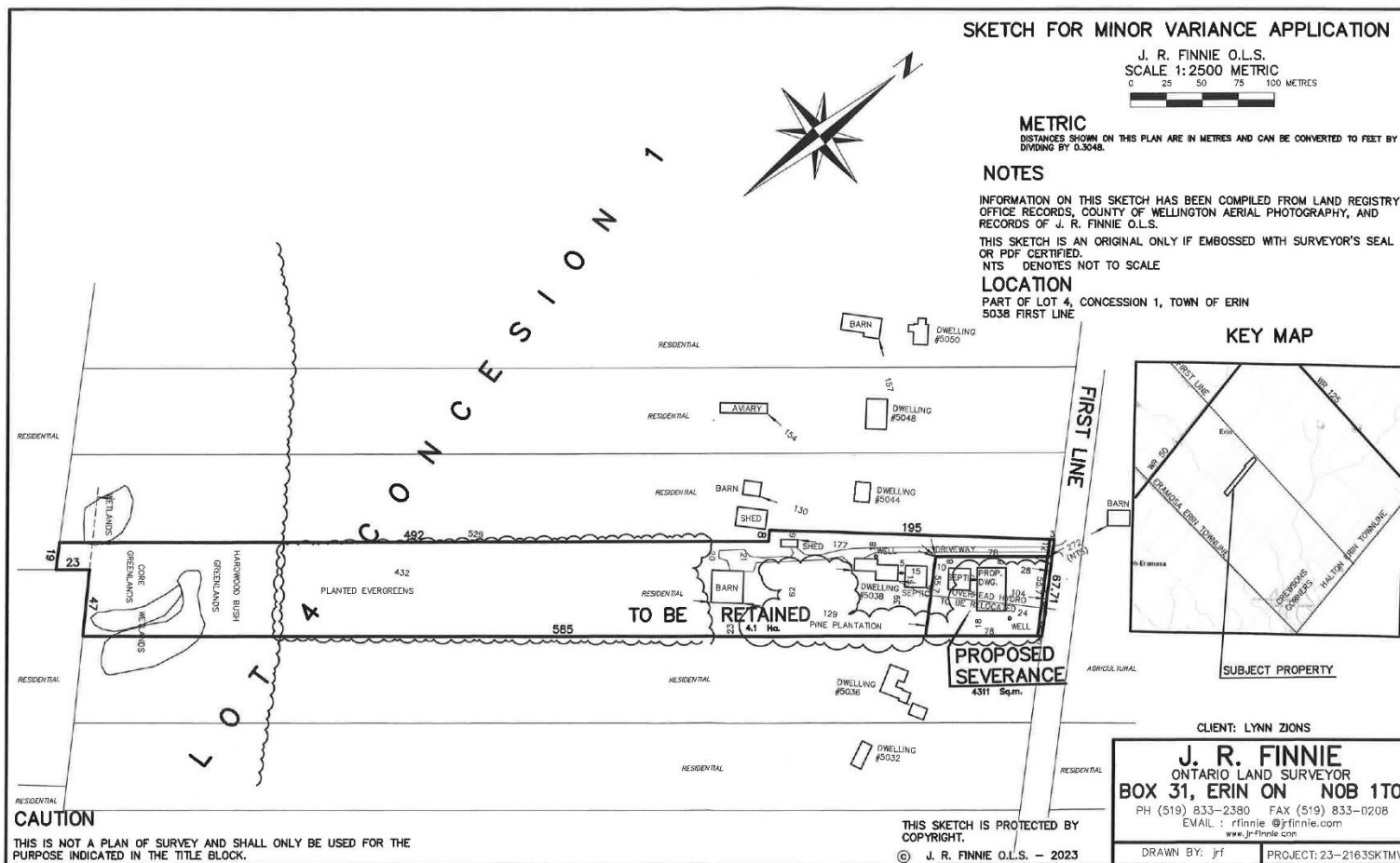
Yours truly,



Jack Krubnik, MLA, OALA, MCIP, RPP  
Director of Planning & Development

Attachment A – Severance Sketch

# Attachment A – Severance Sketch



**File No(s):**

A06-23

**Address:**

5038 First Line

**Legal Description:**

Part Lot 4, Concession 1 East; Part 3 on RP 61R-1814

**February 28, 2023**



## **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