

**A G E N D A**  
**COUNCIL MEETING**  
**TOWNSHIP OF WELLESLEY**  
**PLANNING & DEVELOPMENT COMMITTEE**  
**NOVEMBER 15, 2011 – 6:45 PM**  
**COUNCIL CHAMBERS - CROSSHILL**

<u>Pages</u>	
1-8	P. & D. 131/11 – Zoning By-law Amendment 03/11 re: 1020 Molesworth St., Wellesley – Motion required
9-11	P. & D. 132/11 – Zoning By-law Amendment & Official Plan Amendment re: B.G. Frey Collectables Inc. – Motion required
12-13	P. & D. 133/11 – Designation of Site Plan Control Area re: 4831 Deborah Glaister Line – Motion required
14-15	P. & D. 134/11 – Certificate of Occupancy – For information CO-63-11 re: Sidney W. Martin 2900 Hackbart Road CO-64-11 re: Christian B. Bauman, 3935 Herrgott Rd., RR#3 Wallenstein
	P. & D. 135/11 – Rogers Telecommunication Tower update – For discussion

**TOWNSHIP OF WELLESLEY**  
**PLANNING REPORT, ZBA 03-11:**  
**ZONING BY-LAW AMENDMENT APPLICATION**

**Date:** November 7, 2011

**Prepared for:** Council of the Township of Wellesley

**Prepared by:** Sarah Peck  
*Junior Planner*

**Property Owner:** Peter and Sharon Nijp

**Agent:** N/A

**RE:** Zoning By-law Amendment  
1020 Molesworth St.  
Plan 621, Pt lot 16, East Sec

**Date of Application:** August 23, 2011

**Application Number:** ZBA 03/11

**Roll Number:** 15-3024-010-001-13500

**Zoning:** 'UR' – Urban Residential

**Twp. Official Plan:** Residential

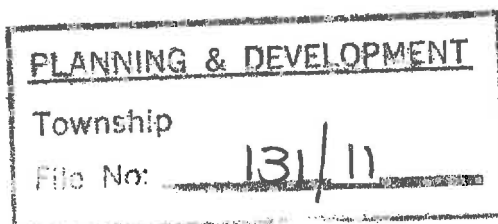
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**EXPLANATION:**

A Public Meeting was held on October 3, 2011 in the matter of a proposed Zoning By-law Amendment 03/2011 for lands known municipally as 1020 Molesworth St.

The following resolution was passed by the Council of the Township of Wellesley:

“That the Council of the Township of Wellesley defer consideration of Zoning By-law Amendment re: 1020 Molesworth Street pending receipt of appropriate site plans from the applicant that show all required parking and other such matters.”



ZBA 03/11  
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Peter & Sharon Nijp

**BACKGROUND:**

The subject application requested that the Township of Wellesley consider a Zoning By-law Amendment to permit a triplex on the subject property.

Zoning By-law 28/2006 defines "triplex" as:

*A building that is divided into three (3) separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.*

The subject lands are located on the west side of Molesworth St. and on the north side of Maple Leaf St. in the Wellesley Urban Area. The property occupies 59.4 ft of frontage on the north side of Molesworth St. and has a total area of 0.15 acres. The property is zoned 'UR' – Urban Residential as per Zoning By-law 28/2006.

The existing building on the subject property is currently being used as a duplex (two residential units). The owner intends to accommodate the third unit within the existing building. No exterior changes to the existing building are anticipated in this application.

**KEY ISSUES:**

*Outcomes of the Public Meeting*

Ronald Bisch, property owner of 1021 Maple Leaf St. (abutting the west property line of the subject property), made a statement in opposition of the Zoning By-law Amendment application. Specifically, he raised five (5) main points of concern: parking, snow removal, drainage, appropriate separation between the properties and the potential for a nearby large tree to cause vehicle damage during a storm event.

The applicant has responded by submitting a revised site plan and a letter of explanation to the Township.

*Parking – Maple Leaf St.*

The site plan was drawn overlaying a Surveyor's Real Property Report (see Appendix A). The Township Zoning By-law 28/2006 requires that a multi-unit dwelling, such as a triplex, provides at least one and one-half (1.5) off-street parking spaces per dwelling unit. Therefore, a triplex requires five (4.5 rounded up) off-street parking spaces which are at least 2.7 metres (9 ft) by 6 metres (20 ft).

According to the applicant, the existing parking area fronting onto Maple Leaf St. is 26 ft by 26 ft. According to the applicant's revised site plan, the applicant intends to expand that parking area to create a parking area which is 27 ft wide by 26 ft deep. According to Section 4.9.1 of the Township Zoning By-law, the maximum width of a driveway,

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measured along the street line shall be nine (9.0) metres (29 feet). In this case, the driveway is proposed to be 27 ft wide, so the width does comply with the Township Zoning By-law. That parking area will be able to accommodate three (3) vehicles side-by-side. This proposal will eliminate the previous angled parking proposal.

The applicant's diagram further shows that the parking area is 1.1 m or 3.6 ft from the side property line. According to Section 4.9.3 of the Township Zoning By-law, the minimum distance between an interior side lot line and any driveway, with the exception of a mutual or common driveway, shall be 1.0 m (3.28 ft). The applicant's proposal complies with this regulation in the Township Zoning By-law.

*Parking – Maple Leaf St.*

According to the applicant, the existing parking area fronting onto Molesworth St. is 17 ft wide by 46 ft deep. According to the applicant's revised site plan, the applicant intends to accommodate two (2) parking spaces within this area. One vehicle will be parked in front of the other. The applicant's diagram shows that the parking area is 1.1 m or 3.6 ft from the side property line, which does comply with Section 4.9.3 of the Township Zoning By-law.

*Parking Space Lot Coverage*

Section 4.31.5 of the Township Zoning By-law states that:

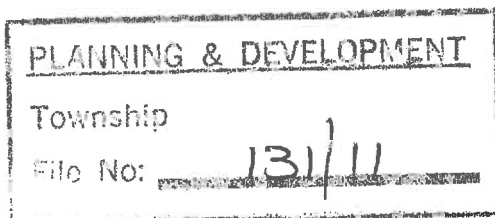
*All parking spaces in any residential zone shall be located in an attached or detached private garage, or in a driveway, or in a side or rear yard provided that the lot coverage of the spaces shall not exceed fifteen (15) percent of the total lot area.*

According to the diagram provided by the applicant, the parking space areas will be the following sizes:

- Parking area fronting onto Maple Leaf St.: 26 ft x 27 ft (702 sq ft).
- Parking area fronting onto Molesworth St.: 17 ft x 46 ft (782 sq. ft)

Therefore, the total proposed parking space area will be 1,484 sq. ft. The lot area of the subject property is 0.15 acres or 6,534 sq. ft. Therefore, the proposed parking coverage is approximately 23% of the total lot area. This parking area coverage exceeds the coverage permitted in the Township Zoning By-law.

Township Staff consider the proposed change from 15% to 23% to be minor. Because the subject property is a corner lot, the parking areas are able to be split up. Neither parking area will be able to accommodate more than three (3) cars each.



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*Snow Removal/ Children's Play Area*

Ronald Bisch expressed concern regarding the ability of the applicant to store snow cleared from the parking areas on the subject property, as well as the ability for the tenants' children to play on the property. Previously, the applicant was proposing 31% parking area lot coverage. Currently, the applicant is proposing no more than 23% lot coverage. This proposal change will leave room for snow removal and storage.

While it is true that the subject property does not have a large backyard for children to play in (not including the parking areas and the shed, the backyard is approximately 2,480 sq. ft according to the diagram), the property is within 200 ft of the Wellesley Community Centre and Arena which does provide ample room for children in the community to play.

*Drainage*

In his original application, the applicant proposed to expand the parking area fronting onto Maple Leaf St. by 520 sq ft. Now the applicant is only proposing to expand that parking area by 26 sq. ft. The Executive Director of Operations has commented that he has no concerns with this proposal from a drainage perspective. A lot grading and drainage plan will be required.

*Appropriate separation between the properties*

The applicant has suggested that he can erect a fence at the western side property line to provide appropriate separation between the property at 1021 Maple leaf St. and the subject property.

Township staff agrees that the fence will contribute to orderly development because it will ensure that snow from the subject property is not cleared onto the neighbouring property and it will ensure that tenants living at the subject property understand the location of the lot line.

*The Tree*

Ronald Bisch expressed concern regarding the potential for a nearby large tree to cause vehicle damage during a storm event. The tree referred to is partially on 1022 Molesworth (north of the subject property) and partially on 1021 Maple Leaf St (west of the subject property). Branches of this tree do overhang onto the subject property.

Township staff is of the opinion that the change in the parking area proposal will address the concern. Previously, the applicant proposed to expand the parking area north by 20 ft, bringing the vehicles significantly closer to the tree. Currently, the applicant is proposing to expand the parking area by 1 ft to the east. The parking area will not be expanding closer to the tree than it is currently located.

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**STAFF COMMENTS**

The Township supports residential intensification, where feasible, as an alternative to "greenfield" development and as a means of providing opportunities for affordable ownership and rental housing. Township staff has determined that the subject property is appropriate for a triplex development provided that adequate off-street parking is achieved, that parking lot coverage does not exceed 23% and that an appropriate fence which complies with the Township's Fence By-law (By-law 29/2010) is erected along the western side line of the subject property to provide separation.

**CONCLUSION:**

It is the opinion of Township Staff that the subject proposal constitutes orderly development and is in compliance with the Township Official Plan policies as indicated above.

**RECOMMENDATIONS:**

**THAT** the Council of the Township of Wellesley authorize the preparation of a By-law for ZBA 03/11, subject to the following condition(s):

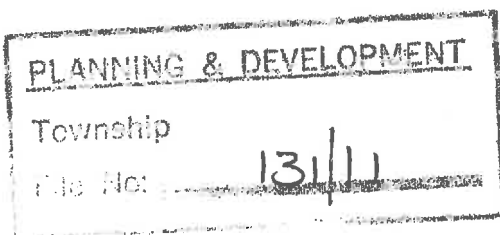
1. That the owner/applicant provide the Township of Wellesley with a lot grading and drainage plan which incorporates the proposed development, to the satisfaction of the Township of Wellesley prior to final approval of the Zoning By-law Amendment.
2. That the owner/applicant complete the proposed work to expand the off-street parking area fronting onto Maple leaf St. as shown in Appendix A to the satisfaction of the Township of Wellesley, prior to the issuance of building permits.
3. That the owner/applicant erect an appropriate fence which complies with the Township's Fence By-law (By-law 29/2010) along the western side line of the subject property to the satisfaction of the Township of Wellesley prior to the issuance of building permits.

**AND FURTHER THAT** the Zoning By-law for ZBA 03/11 shall include the following regulations:

***Additional permitted uses:***

- a) A triplex

***Subject to the following regulations:***



ZBA 03/11  
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Peter & Sharon Nijp

- i. Off-street parking shall be provided in accordance with Section 4.30 of Zoning By-law 28/2006.
- ii. Total parking space lot coverage shall not exceed 23% of the total lot area of the subject property.

Sarah Peck, M.Sc.PL  
Junior Planner  
Township of Wellesley

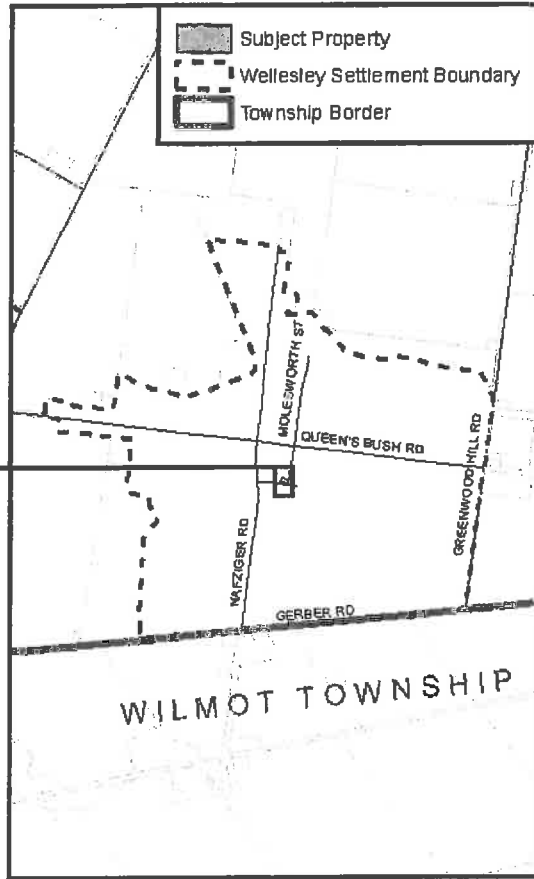
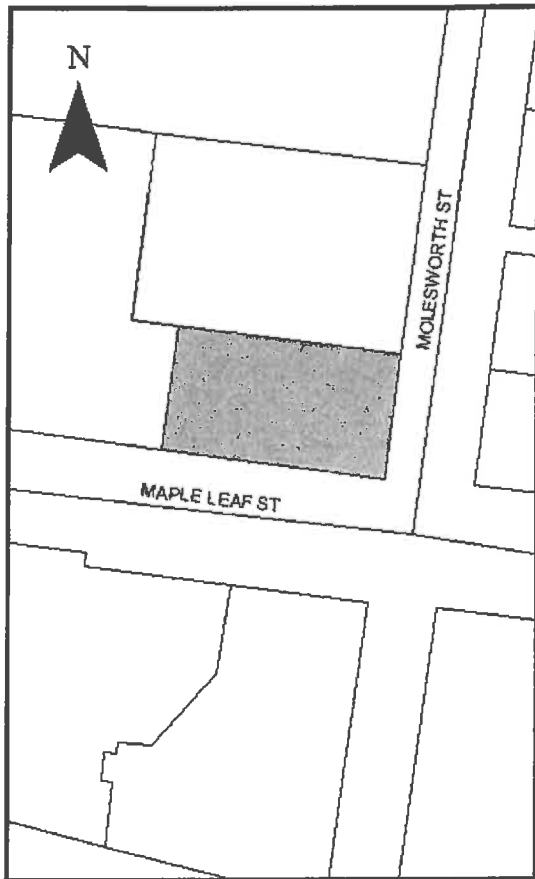
Approved by: S.J. Duke, EDC/Clerk, November 1, 2011

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ZONING BY-LAW AMENDMENT APPLICATION  
Peter & Sharon Nijp

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**Key Map: 1020 Molesworth St., Plan 621, Pt lot 16, East Sec**



PLANNING & DEVELOPMENT  
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ZBA 03/11  
ZONING BY-LAW AMENDMENT APPLICATION  
Peter & Sharon Nijp



# Planning & Development Memo

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**Date:** November 15, 2011

**Prepared for:** Council of the Township of Wellesley

**Prepared by:** Sarah Peck  
*Junior Planner*

**Property Owner:** B. G. Frey Collectables, Inc.

**Agent:** Bert Frey

**RE:** Notice of Application: Zoning By-law Amendment &  
Official Plan Amendment  
Pt Lot 2, Con 12, East Sec.

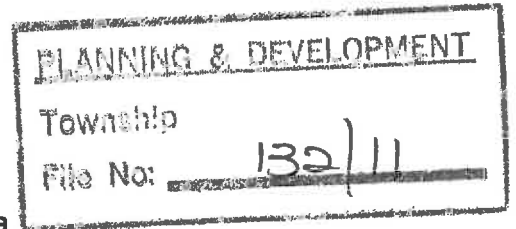
**Date of Application:** November 1, 2011

**Application Number:** ZBA 05/11 and OPA 02/11

**Roll Number:** 3024-030-004-09600

**Zoning:** A1' – General Agricultural

**Twp. Official Plan:** Agricultural Resources Area



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## BACKGROUND / HISTORY:

The Township of Wellesley has received an application for the consideration of a Zoning By-law Amendment and an Official Plan Amendment to permit dry industrial uses on a lot zoned and designated for agricultural uses.

The subject lands are located on the east side of Herrgott Rd. and on the south side of Geddes St. The property is 9.26 acres. It is zoned 'A1' – General Agricultural as per Zoning By-law 28/2006 and is designated as Agricultural Resource Area as per the Township Official Plan.

This land has been recommended to be redesignated for future employment uses as is the Wellesley Employment Lands Strategy, approved by the Council of the Township of Wellesley on September 6, 2011. The purpose of the Wellesley Employment Lands Strategy was to provide a current inventory of employment lands available in Wellesley

Township and to provide recommendations of sites for future employment lands designation. This application will have the effect of expanding the Hawkesville Settlement Area boundary.

**KEY ISSUES FOR COUNCIL CONSIDERATION:**

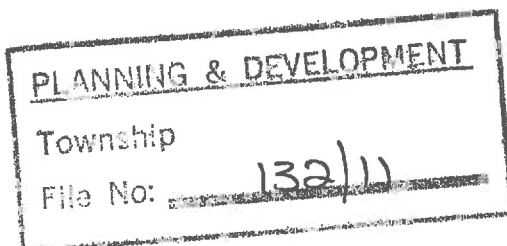
Prior to a commitment being made to the applications, the Planning Act deems it necessary for the Council of the Township to schedule and advertise a public meeting to be held in this matter for the purpose of sharing information with the public concerning this application.

**RECOMMENDATION:**

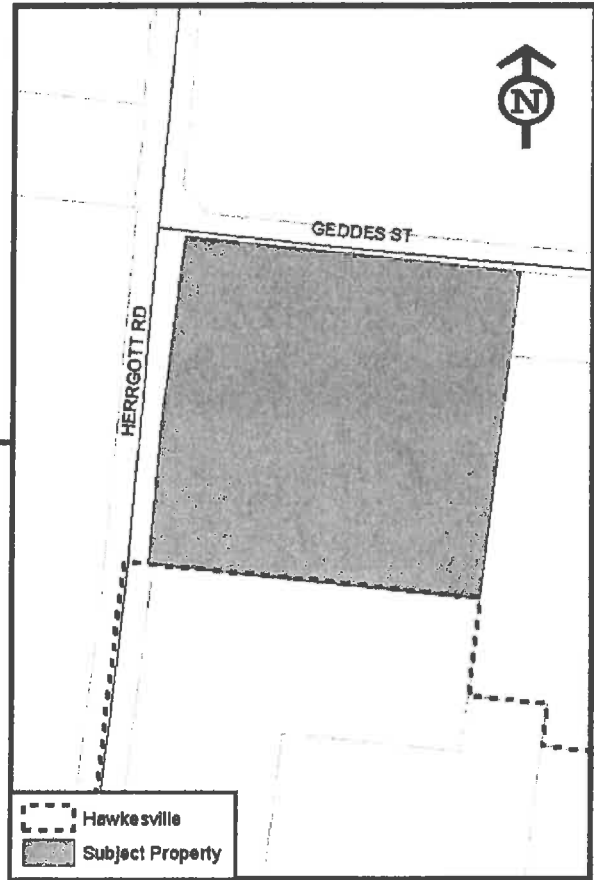
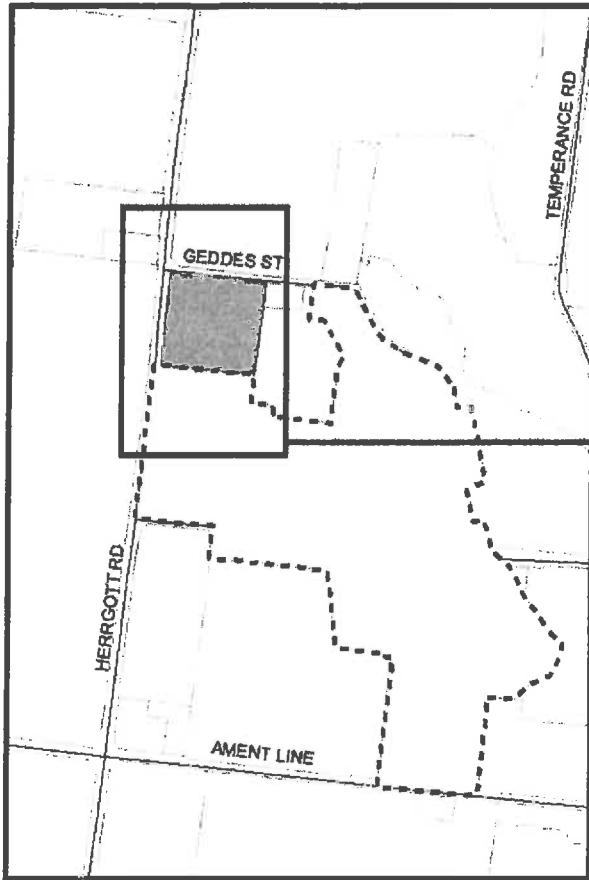
That the Council of the Township of Wellesley schedule and advertise a public meeting in the matter of a proposed Zoning By-law Amendment 05/2011 and Official Plan Amendment 02/2011 for lands owned by B. G. Frey Collectables, Inc. and known municipally as Part Lot 2, Concession 12, Eastern Section, Township of Wellesley, and that the meeting be scheduled for December 20, 2011 at 6:45 p.m. in the Council Chambers at 4805 William Hastings Line, Crosshill.

Sarah Peck, MSc PL  
Junior Planner  
Township of Wellesley

Approved: S. J. Duke, EDC/Clerk, November 4, 2011



**Key Map: Pt Lot 2, Con 12, East Sec.**



**PLANNING & DEVELOPMENT**  
Township  
File No: 132/11

ZBA 05/11 & OPA 02/11  
ZONING BY-LAW AMENDMENT and OFFICIAL PLAN AMENDMENT APPLICATION  
B. G. FREY COLLECTABLES, INC.

# Planning & Development Memo

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**Date:** November 15, 2011

**Prepared for:** Council of the Township of Wellesley

**Prepared by:** Sarah Peck, Junior Planner

**RE:** **Designation of Site Plan Control Area**  
Private School Construction  
4831 Deborah Glaister Line  
Part Lot 12, Concession 3, West Section

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***Motion Required***

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## **BACKGROUND / HISTORY:**

The Township of Wellesley has received a building permit application for the consideration of the construction of a school on the Cedar Grove Mennonite Church property at 4831 Deborah Glaister Line. The property is on the north side of Deborah Glaister Line and on the west side of Hutchison Rd. The property is 4.51 acres.

A consent application for a 2.3 acre lot addition to the subject property was approved by the Committee of Adjustment on July 13, 2011. The decision passed with no appeals on August 3, 2011. Conditions of consent were cleared by Township staff on September 13, 2011. A Zoning By-law (By-Law 30-2011) was passed on July 4, 2011 to zone the 2.3 acre lot addition as 'AIN' – Agricultural Institutional.

The reasons for the proposed lot conveyance were twofold: 1) to rectify the encroachment of the existing septic system on 1666 Hutchison Rd.; 2) to permit the expansion of the 'AIN' (Agricultural Institutional) use for a playground and upgraded septic system.

At this time, the applicant is proposing to construct a new 3,186 sq. ft school as an addition to the existing 3,757 sq. ft church building (6,943 sq. ft total). These figures are subject to change as stormwater management, lot grading, parking requirements and drainage plans may determine the actual size and dimensions.

## **KEY ISSUES FOR COUNCIL CONSIDERATION:**

The purpose of Site Plan Control is to ensure that development is undertaken in accordance with the municipality's applicable standards and regulations. Site Plan Control is also used to reduce or eliminate negative impacts on adjacent

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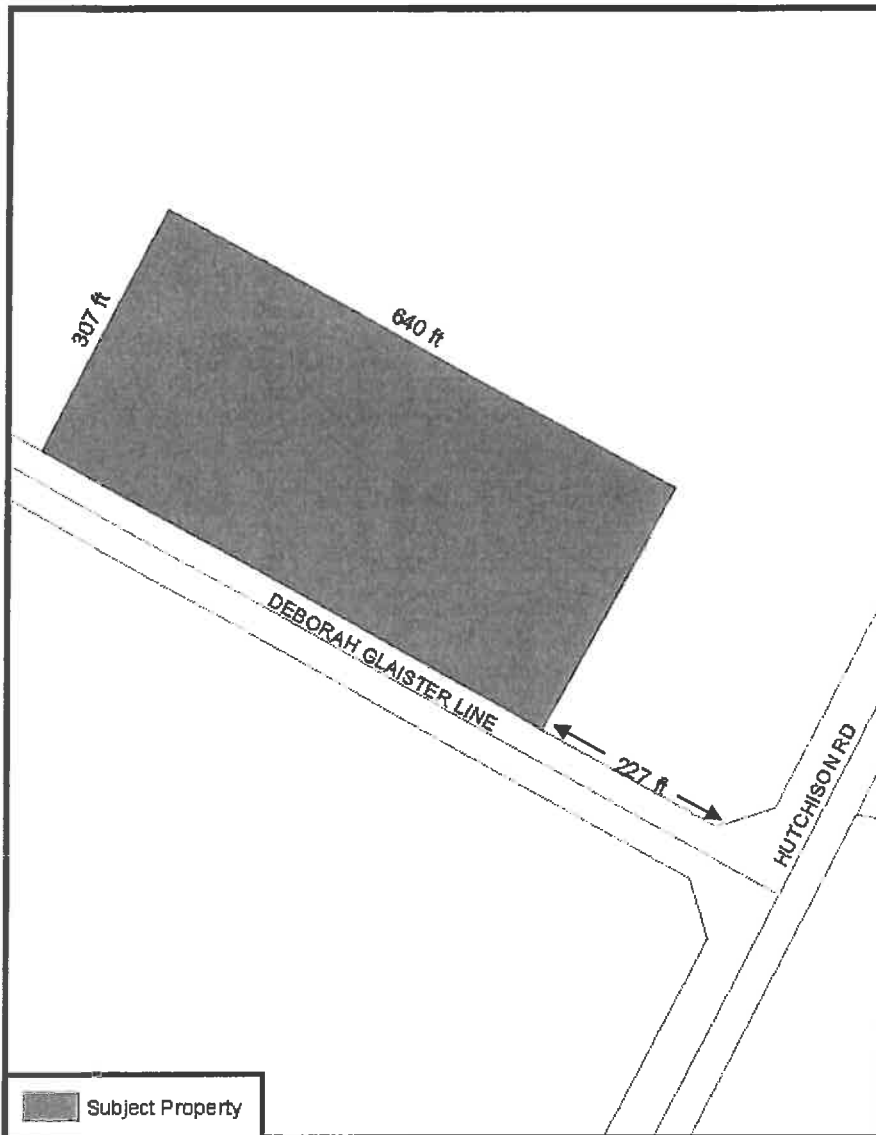
(12)

land uses and to ensure that the features of a development are maintained over the long-term. Upon the passing of the attached by-law and the implementation of an appropriate agreement, Township staff will be in a position to review and issue building permit documents in accordance with Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

**RECOMMENDATION:**

**THAT** the Council of the Township of Wellesley support the By-law to designate a Site Plan Control Area for 4831 Deborah Glaister Line, Part Lot 12, Concession 3, West Section.

**Key Map: 4831 Deborah Glaister Line**



PLANNING & DEVELOPMENT  
Township  
File No: 133/11

Approved by: S.J. Duke, EDC/Clerk, November 9, 2011

THE CORPORATION OF THE TOWNSHIP OF WELLESLEY

TOWNSHIP OF WELLESLEY  
P. O. Box 40, Linwood, Ontario

Date Issued OCT 11/2011

~~N8B-2A8~~  
4639 LOBSINGER LINE  
2421 ST CLEMENTS ON  
NOB 2MD

NO. CO-63-11 A2

CERTIFICATE OF OCCUPANCY

FEE: \$30.00 A2

Farm Related Occupation   
Home Occupation

1. Property Owner SIDNEY W MARTIN.  
Address 2900 HACKBART ROAD  
Telephone 519-699-9388

2. Property Location  
PT Lot 9 Concession 9 EAST Block \_\_\_\_\_  
Registered Plan 58R5600 PT 1  
Street Address 2900 HACKBART ROAD  
Roll No. 302403000320910

3. Proposed Use  
CUSTOM SEWING

PLANNING & DEVELOPMENT
Township _____
File No: <u>134/11</u>

4. Home Occupation  
In House  Total Floor Area 3600 ft<sup>2</sup>  
Accessory Building \_\_\_\_\_ Floor Area Devoted to this use 265 ft<sup>2</sup>

~~5. Farm Related Occupation  
Size of whole property \_\_\_\_\_  
Area Devoted to this use \_\_\_\_\_  
Number of Employees \_\_\_\_\_ Relationship to Property Owner \_\_\_\_\_~~

NOTE:

- (a) This certificate is for the existing property owner only, and is not transferrable to a new owner.
- (b) This certificate is for the specified use only. Any change in use requires prior approval of a new certificate.

ISSUED BY  
RAE LOUWAGE, CBO.

Susan Duke, Senior Planner.



# The Corporation of the Township of Wellesley

Township of Wellesley  
4639 Lobsinger Line  
R.R. #1, St. Clements NOB 2M0  
Telephone: 519-699-4611  
Fax: 519-699-4540

Date of Expiry: Nov 17, 2013  
No. CO-64-11  
 New  Renewal \$150.00

## Certificate of Occupancy – Farm Related Occupation By-Law 28/2006

Property Owner: CHRISTIAN B. BAUMAN  
Legal Description: SECT EAST CN 13 PT LOT 2 Roll No. 3024-030-004-131-00  
Address: 3935 HERRGUTT RD 519-699-4328  
RR 3 WALLENSTEIN, ONT NOB 250 Township of Wellesley  
Ontario Farm Business Registration No. 4005732  
Description of Farm Related Occupation MACHINE SHOP (WOOD SPLITTERS)

Floor Area of Building(s) 3,200 FT<sup>2</sup> Floor Area Devoted to this Use 3,200 FT<sup>2</sup>  
Size of Property 130.55 AC Area Devoted to this Use (Max. One Acre) 1/2 AC  
Number of employees NOT living on this farm (Max Two) TWO  
Fire Reservoir: ONSITE  Yes  No  
 Shared by agreement with \_\_\_\_\_

PLANNING & DEVELOPMENT  
Township  
File No: 134/11

### Acknowledgements:

I have received/reviewed a copy of Township of Wellesley By-law 28/2006 section 4.12

I understand it is my responsibility to renew my Certificate of Occupancy ever two years. If I propose to change the nature, size (square footage) or ownership of my business changes, I understand it is my responsibility to renew my certificate of occupancy immediately.

I have discussed with the issuer of this Certificate of Occupancy the meaning of the terms legal non-conforming and minor variance. I understand if I was in possession of a valid Certificate of Occupancy before February 5, 2001, I may have an option to apply for a minor variance rather than applying for a new Certificate of Occupancy.

I hereby understand and agree that I shall comply, at all times, with all federal and provincial statues and regulations, as well as all municipal by-laws, which includes, without limitation, complying with the Environmental Protection Act and the regulations thereunder. I further understand and agree that it is my responsibility to obtain, and that I will obtain, all necessary approvals or permits that are required by federal and provincial law or any municipal by-law applicable to the operation of this farm related occupation.

I understand that according to Section 1.11 of By-law 28/2006 every person who contravenes this By-law is guilty of an offence and on conviction is liable to a fine of not more than \$25,000.00; and on a subsequent conviction to a fine not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

**Contacts:** Ministry of the Environment- Environmental Assessment and Approvals Branch:  
Telephone: 1-800-461-6290 Fax: Assessment 1-416-314-7227  
Approvals 1-416-314-8452  
Guelph office: Telephone: 1-800-265-8658 Fax: 1-519-826-4286

Signature: Christian B Bauman Date Nov 9, 2011

Issued by: [Signature] Approved by: [Signature] (15)