



*A People Place, A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

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**Meeting Date:** Monday, April 12, 2021

**To:** Jennifer Willoughby, Secretary-Treasurer,  
Committee of Adjustment

**From:** Steve Wever, Town Planner

**Report:** P2021-10

**Subject:** **Application for Minor Variance A21/02  
Glen Schnarr & Associates Inc.  
201 Wellington Street, Shelburne**

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### Recommendation

Be it resolved that the Committee of Adjustment receive Report P2021-10 as information.

Be it resolved that, subject to the consideration of any input received at the public meeting, it is recommended that the Committee of Adjustment grant approval of Minor Variance Application A21/02 for the property municipally known as 201 Wellington Street and legally described as Part of Lot 32, Concession 3, in in the Town of Shelburne, County of Dufferin, to permit relief from Section 3.2.2 of Zoning By-law 38-2007 to permit accessory buildings to be located closer to the front lot line than the principal building on the lot, subject to the following:

1. A maximum of two (2) accessory buildings shall be permitted to be located closer to the front lot line (Main Street West) than the existing principal building on the property, including one (1) accessory storage building having a maximum gross floor area of 1,116 m<sup>2</sup> and one (1) accessory pumphouse building having a maximum gross floor area of 15 m<sup>2</sup>;
2. The accessory storage building shall be used only for the purposes of the temporary storage of lumber products in conjunction with the existing

- lumber products industry on the same lot and shall be removed on the earlier of April 12<sup>th</sup> 2024 or the date specified in a Site Plan Agreement;
3. The accessory pumphouse building shall be used only for the purposes of pumping water from a stormwater retention pond to be constructed on the lot in accordance with an approved Site Plan;
  4. The accessory buildings shall not be severed from the lot containing the existing principal building and the existing industrial use on the lot;
  5. The accessory storage building shall be located in accordance with the following lot line setbacks:
    - North: 75 metres to the front lot line (Main Street West) and 18 metres from the nearest lot line of the adjoining lot to the north
    - East: 34 metres to the nearest lot line of the adjoining lot to the east
    - South: 37 metres to the nearest lot line of the adjoining lots to the south
    - West: 55 metres to the nearest lot line of the adjoining lot the west.
  6. The accessory pumphouse building shall be located in accordance with the following lot line setbacks:
    - North: 75 metres to the front lot line (Main Street West) and 7.5 metres to the nearest lot line of the adjoining lot to the north
    - East: 30 metres to the nearest lot line of the adjoining lot to the east
    - South: 60 metres to the nearest lot line of the adjoining lots to the south
    - West: 55 metres to the nearest lot line of the adjoining lot the west.

## Background

An application has been submitted for a minor variance for the property municipally known as 201 Wellington Street and legally as Part of Lot 31, Concession 3, in the Town of Shelburne, County of Dufferin. The subject property is located on the south side of Main Street West, near the intersection of Main Street West and John Street. The property currently contains three existing buildings including a one-storey manufacturing building and two accessory buildings for the use of lumber manufacturing, processing, storage and distribution facilities.

The purpose of the minor variance application is to request relief from Zoning By-law 38-2007, Section 3.2.2 in order to construct a temporary accessory storage building on the north-west part of the property and to permit a future water pumphouse to be located on the north-west part of the property. The application is seeking relief from the regulation which requires that accessory buildings and structures shall not be permitted closer to the front lot line than the principal building on the lot.

## Analysis

The subject property is approximately 11.05 hectares (27.31 acres) in area and has a lot frontage of approximately 54.0 metres on Main Street West. The subject property is designated 'Residential' in the Town Official plan and 'Low Density Residential', 'Medium Density Residential' and 'Community Commercial' within the Shelburne West Secondary Plan. The Official Plan recognizes and permits existing industrial uses which have been in existence since prior to the implementation of the Shelburne West Secondary Plan (Official Plan Amendment No. 36). The subject property is zoned General Industrial (M2) in the Zoning By-law 38-2007.

The application submitted requests a minor variance that would provide relief from Section 3.2.2 of the Zoning By-law which states that accessory buildings or structures shall not be closer to the front lot line than any principal building on the lot.

Under Section 45(1) of the Planning Act, there are four tests that a minor variance must meet which includes:

1. Is the application minor?
2. Is the application desirable for the appropriate development of the lands in question?
3. Does the application conform to the general intent of the Zoning By-law?
4. Does the application conform to the general intent of the Official Plan?

For the application to be considered minor, it must meet all four tests as mentioned above. The applicant provided a letter that considers the application under these tests and concludes that the requested variance meets the four tests and represents good planning.

A further planning review of the application under the four tests has been completed and is summarized below.

### **1. Is the application minor?**

**Yes** – the principal building on the lot is located 264.31 metres from the front lot line (Main Street West), and the proposed accessory buildings will be at least 75 metres from the front lot line.

Due to the irregular shape of the lot, there is a large portion of land that is rendered unusable for accessory buildings and structures, due to the location of the principal building and the regulations in the Zoning By-law.

The area of the lot proposed for the accessory buildings is located further from Main Street West than the existing office building for the industry, and

although the office building may be considered as a principal building for the industrial use, it is located on a separate lot from the principal industrial building and proposed accessory buildings.

The buildings will be located a similar distance from Main Street West as the existing storage building on the Town-owned property to the east, and further from Main Street West than the existing hydro distribution station.

There is an existing, vacant commercial property located between the area proposed for the accessory buildings and the south limit of Main Street West. The proposed accessory buildings should not have good visibility from Main Street West due to the distance from the street, the existing hedgerow / trees along the common property line with the adjoining vacant commercial lot, and the eventual development of the adjoining vacant commercial lot for commercial uses.

The proposed storage building will have a gross floor area of up to 1,116 m<sup>2</sup> (12,013 ft<sup>2</sup>) and will be a temporary “coverall” building. Based on a Site Plan Application currently in process for the lot, the area of the proposed temporary storage building is intended to be used for a stormwater retention pond, and the storage building will be removed when the pond is constructed. Any visual impact of the proposed accessory building will not be permanent and should be relatively short in duration. A condition is recommended to require the removal of the temporary coverall building on the earlier of three (3) years or a date specified in a Site Plan Agreement.

The proposed pumphouse is 15 m<sup>2</sup> (161 ft<sup>2</sup>) in size and therefore will not have any significant visual or other impacts. The pumphouse is proposed in conjunction with the future stormwater retention pond and would be used to pump water from the pond for use as process water for the lumber manufacturing and processing facility.

**2. Is the application desirable for the appropriate development of the lands in question?**

**Yes** – as outlined above, the proposed temporary storage building and pumphouse will have limited visibility from Main Street West. The buildings will support the continued operations of the existing industry by providing for indoor, enclosed storage of lumber products within the proposed temporary storage building, and the pumphouse will support the use of stormwater for industrial processes.

**3. Does the application conform to the general intent of the Zoning By-law?**

**Yes** – The subject property is zoned General Industrial (M2) Zone and the proposed buildings will comply with the Zoning By-law with exception to

Section 3.2.2 regarding the location of accessory buildings and structures relative to a principal building on the same lot. The intent of the Zoning By-law is to limit the visibility of accessory buildings and structures by directing them to locations that are behind or beside a principal building on the same lot. This is to prevent the location of accessory buildings and structures in highly visible locations that could result in undesirable streetscapes and diminished visibility and street presence of main building facades.

For the subject application, due to the location of the existing principal industrial building on the lot and the irregular shape of the lot, the proposed location of the accessory buildings is functionally desirable to make use of underutilized space on the lot in an accessible location for the existing industrial operations, but the location cannot meet the regulations of the zone. The proposed temporary storage building location is along the existing truck route on the property and is closer and more accessible to the existing truck access driveway on Main Street West.

The property currently contains a principal building and two accessory buildings for the use of a lumber manufacturing and processing facility. The proposed accessory buildings would be setback at least 75 metres from Main Street West with limited visibility and there is an existing intervening commercial lot located between the proposed buildings and the south side of Main Street West. No other variances are required.

The proposed application meets the general intent of the Zoning By-law.

#### **4. Does the application conform to the general intent of the Official Plan?**

**Yes** – The lands are designated Residential and Commercial in the Town of Shelburne's Official Plan; however, the policies recognize existing industrial land uses including the existing lumber products industry on the subject property. The manufacturing and processing facility is also a permitted use within the current General Industrial (M2) zoning applicable to the property. The proposed temporary accessory storage building is an interim use, and the proposed pumphouse will be ancillary to the continuation of the existing industrial use, accessory to the existing permitted use on the lot.

The application conforms to the general intent of the Official Plan.

#### **Summary**

The variance is requesting permission to construct two (2) accessory buildings closer to the principal building on the lot, in conjunction with the existing industrial use of the lot. The existing industrial use is recognized and permitted to continue by the applicable policies of the Official Plan and the property is within the General Industrial (M2) Zone, meant to accommodate industrial

uses. The location of the accessory buildings will not negatively impact the adjacent properties and will have limited visibility from Main Street West. The larger accessory building is for temporary use for storage of lumber products. The smaller building is for a pump house for a proposed future stormwater retention pond on the property identified on the Site Plan submitted for the property and currently under review.

Conditions are recommended to limit the proposed variance to the two (2) accessory buildings proposed, to limit the use of the buildings to that proposed in conjunction with the existing industrial use of the lot, to require removal of the temporary storage building in three (3) years or at such earlier date as may be specified in a Site Plan Agreement, to prohibit the future severance of the accessory buildings, and to establish the required setbacks from Main Street West and lot lines of adjoining properties.

### Financial Impact

The applicant has paid the required application fee to cover the costs of processing this application.

### Policies & Implications (if any) Affecting Proposal

Town of Shelburne Official Plan  
Town of Shelburne Zoning By-law 38-2007

### Consultation and Communications

The application was circulated to the required agencies and the public meeting was advertised and will be held in accordance with the Planning Act. No objections to the approval of the application were received at the time of filing this report.

### Supporting Documentation

Site Plan  
Agency Comments

Prepared by:

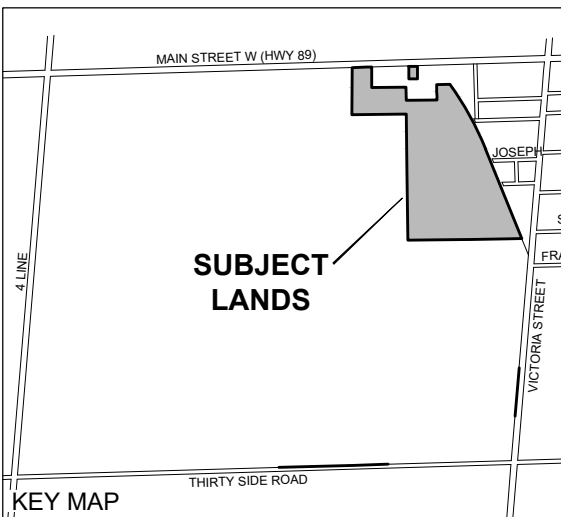
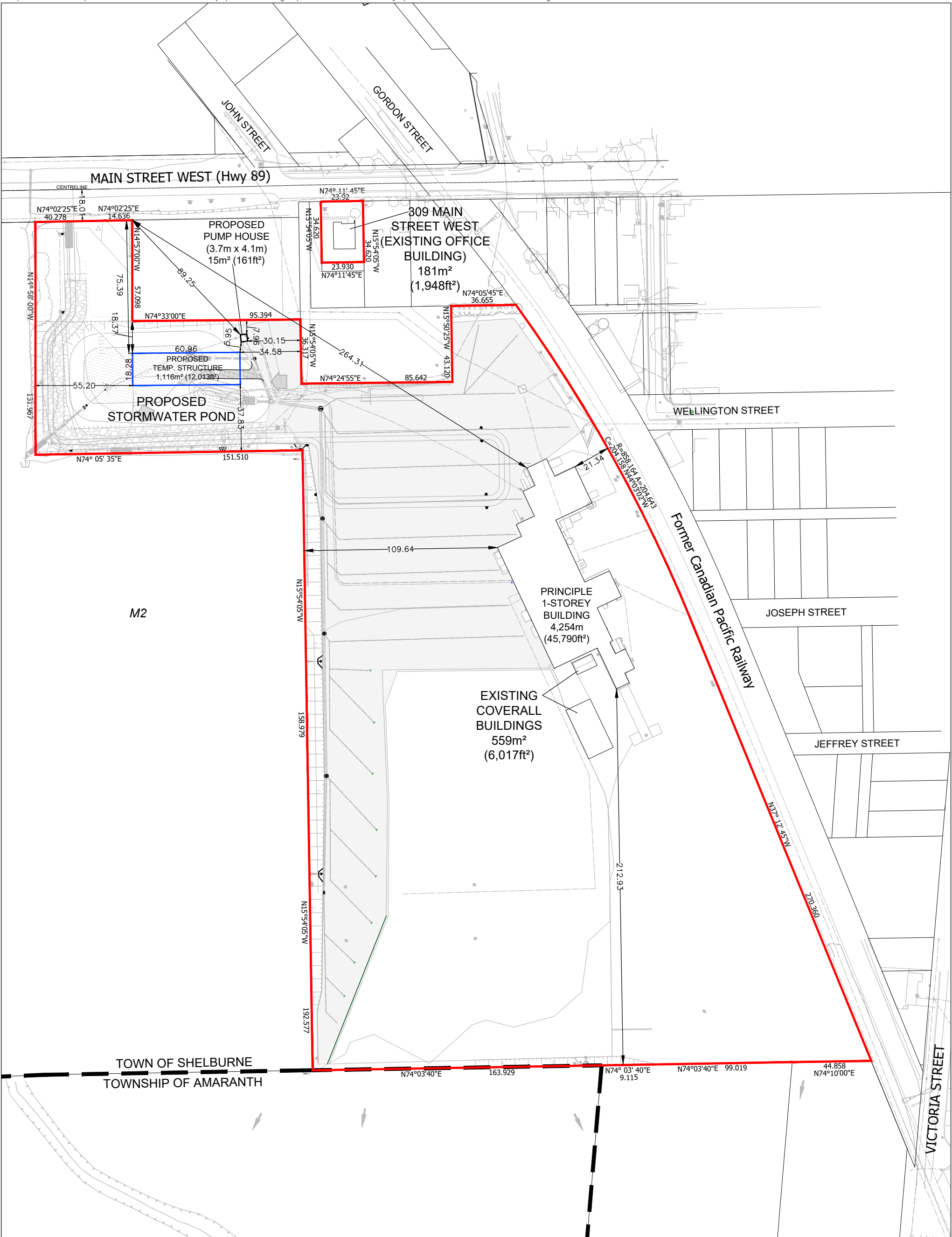
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Jenna Daum, Planner

Reviewed by:

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Steve Wever, Town Planner



# MINOR VARIANCE SKETCH PLAN STELLA-JONES INC.

201 WELLINGTON STREET (PHASE 2)  
PART OF LOT 32, CONCESSION 3  
TOWN OF SHELburne  
DUFFERIN COUNTY

— Subject Lands - 11.05ha (27.31ac)

## REQUIRED VARIANCE:

- 1) TO PERMIT AN ACCESSORY STRUCTURE AND PUMP HOUSE (TBC) CLOSER TO THE FRONT LOT LINE THAN THE PRINCIPLE BUILDING ON THE LOT.



Scale 1:2000  
February 18, 2021



**GSAI**  
Glen Schnarr & Associates Inc.

**Town of Shelburne Planning Application Circulation: A21/02 - 201 Wellington Street,  
B21/01 - 331 Victoria Street, B21/02 - 716 Victoria Street & Z21/01 - 105 Mill Street**

Dionne, Chantale H <chantale.dionne@bell.ca>

on behalf of

Modifications 911 <modifications.911@bell.ca>

Fri 2021-03-19 10:09 AM

To: Planning Account <planning@shelburne.ca>

 18 attachments (7 MB)

B21 01, B21 02, A21 02 - Circulation Letter Consolidated Version.pdf; A21 02- Public Meeting Notice - Mailing.pdf; A21 02 - Circulation Response Form.pdf; A21.02-Application.pdf; A21.02-Drawings.pdf; B21 01- Public Meeting Notice - Mailing.pdf; B21 01 - Circulation Response Form.pdf; B21.01-Application.pdf; B21.01-Drawings.pdf; B21 02- Public Meeting Notice - Mailing.pdf; B21 02 - Circulation Response Form.pdf; B21.02-Application.pdf; B21.02-Drawings.pdf; Z21 01- Circulation Letter.pdf; Z21 01 - Public Meeting Notice - Mailing.pdf; Z21 01 - Circulation Response Form.pdf; Z21.01-Application.pdf; Z21.01-Drawings.pdf;

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Good day,

Thank you for the information.

Regards,



Chantale Dionne

Modifications/Corrections 9-1-1

**Base de données des Services d'Urgence 9-1-1 /  
9-1-1 Emergency Services data base**

**RE: Town of Shelburne Planning Application Circulation: A21/02 - 201 Wellington Street, B21/01 - 331 Victoria Street, B21/02 - 716 Victoria Street & Z21/01 - 105 Mill Street**

Municipal Planning <MunicipalPlanning@enbridge.com>

Wed 2021-03-17 9:05 PM

To: Planning Account <planning@shelburne.ca>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the contents to be safe.

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed applications however, we reserve the right to amend our development conditions.

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. For more details contact [SalesArea20@Enbridge.com](mailto:SalesArea20@Enbridge.com).

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com).

Regards,

**Alice Coleman**  
Municipal Planning Analyst  
**Long Range Distribution Planning**

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**ENBRIDGE**  
TEL: 416-495-5386 | [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com)  
500 Consumers Road, North York, Ontario M2J 1P8

[enbridge.com](http://enbridge.com)  
**Safety. Integrity. Respect.**



## TOWN OF SHELburne

### PLANNING & DEVELOPMENT

#### Minor Variance Application

#### Circulation Response Form

**File:** A21/02

**Project:** Minor Variance  
201 Wellington Street  
Part Lot 31 Concession 3 Reference Plan 7R-2800 Par 1 and Parts 5-6,9-13, Part 1 on 7R-2808, Town of Shelburne

If you have no comments or objection to the approval of the above noted applications please complete this form and email it to the **Town Planner** at the Town of Shelburne by **April 8<sup>th</sup>, 2021**.

**Email:** [planning@shelburne.ca](mailto:planning@shelburne.ca)

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***By signing this document I acknowledge that as a representative of the noted organization / body / or person, I have reviewed this application and as a result have no comments or concerns related to this matter.***

Shelburne & District F.D.

Agency Name  
(Please Print)

Ralph Snyder

Representative Name  
(Please Print)

Fire Chief

Representative Title  
(Please Print)

Ralph Snyder

Signature

March 18/21

Date

**RE: Town of Shelburne Planning Application Circulation: A21/02 - 201 Wellington Street, B21/01 - 331 Victoria Street, B21/02 - 716 Victoria Street & Z21/01 - 105 Mill Street**

Amy Knapp <aknapp@nvca.on.ca>

Wed 2021-03-31 2:21 PM

To: Planning Account <planning@shelburne.ca>

Cc: Steve Wever <swever@gspgroup.ca>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the contents to be safe.

Good Afternoon Steve,

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the planning applications contained within this email and can offer the following for consideration:

**Minor Variance - A21/02 - 201 Wellington Street**

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the proposed minor variance to permit a proposed temporary accessory structure located 18.37m from the front property line (Main Street West) and based upon our mandate and policies under the Conservation Authorities Act, we have no objection to the approval of this application. Staff note that the proposed structure is within an area subject to this Authority's Development, Interference With Wetlands and Alterations To Shorelines and Watercourses Regulation (Ontario Regulation 172/06) where a permit will be required prior to construction.

Thank you for circulating these applications and please forward a copy of any decision and notice of any appeals filed for Minor Variance - A21/02 and Consent - B21/02.

Sincerely,

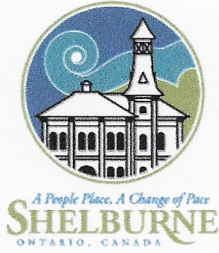
**Amy Knapp | Planner III**

**Nottawasaga Valley Conservation Authority**

8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0

T 705-424-1479 ext.233 | F 705-424-2115

**aknapp@nvca.on.ca | nvca.on.ca**



# TOWN OF SHELBURNE

## PLANNING & DEVELOPMENT

### Minor Variance Application Circulation Response Form

File: A21/02

Project: Minor Variance  
201 Wellington Street  
Part Lot 31 Concession 3 Reference Plan 7R-2800 Par 1 and Parts 5-6,9-13, Part 1 on 7R-2808, Town of Shelburne

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***By signing this document I acknowledge that as a representative of the noted organization / body / or person, I have reviewed this application and as a result have no comments or concerns related to this matter.***

TOWN OF SHELBURNE  
Agency Name  
(Please Print)

Jim Moss  
Representative Name  
(Please Print)

DIRECTOR OF DEVELOPMENT & OPERATIONS  
Representative Title  
(Please Print)

[Signature]  
Signature

MARCH 25<sup>th</sup> 2021  
Date