



COMMITTEE OF ADJUSTMENT MEETING AGENDA

Tuesday, September 30, 2025, 6:15 p.m.

COUNCIL CHAMBERS

4805 William Hastings Line, Crosshill, Ontario N0B 2M0

For further information regarding Committee of Adjustment or an application on this agenda contact Kaitlyn Werth, Secretary-Treasurer at kwert@wellesley.ca or 519-699-3947.

Pages

1. Call the meeting to order
2. Declaration of Pecuniary Interest (if any) in accordance with the Municipal Conflict of Interest Act
3. Applications to be heard by the committee
 - 3.1 Minor Variance Application A15/25 – 30 Anita Drive 2
That application A15/25 to permit the installation of an in-ground swimming pool at 30 Anita Drive, on land zoned SR-18 be approved.
4. Adoption of minutes as circulated 8
That the minutes of the previous Committee of Adjustment meeting be adopted as presented.
5. Ongoing Applications
6. Unfinished Business
7. Next Meeting
Tuesday, October 28, 2025 at 5:45pm
8. Adjournment
That the Committee meeting is now adjourned.



STAFF REPORT
Development Services

Subject: Minor Variance Application A15/25 – 30 Anita Drive
Report No.: P. & D. A15/25
To: Committee of Adjustment
Meeting Date: September 30th, 2025
Prepared by: Bobby Soosaar, Senior Planner, Development Services

Recommendation

That the Committee of Adjustment approve minor variance application A15/25 to permit an in-ground swimming pool as an accessory use at 30 Anita Drive, on land zoned SR-18.

Executive Summary

The applicant is requesting a minor variance to permit the installation of a pool at 30 Anita Drive (subject lands). The subject lands are zoned SR-18 which restricts the installation of above ground and in-ground pools.

Report

1. Background

The subject lands are located on the east side of Anita Dr. and occupy 30 m of frontage and has an area of 1506 m² (0.37 acres). The property is zoned Settlement Residential 18 (SR-18) as per Zoning By-law 28/2006.

The SR-18 zone prohibits in-ground, indoor or above-ground swimming pools. This zone was added by By-law 71-89. All of the properties within this zone utilize on-site sewage systems for sewage treatment. The SR-18 zone was implemented to ensure that sufficient lands are available to install a new on-site sewage treatment system (septic) in the event of failure of the original system.

Several properties in the SR-18 zone have received planning permissions to permit a swimming pool, including the properties immediately adjacent to the subject lands.

The placement of septic systems is regulated by the Building Code Act. To support the proposed application, Township planning staff require confirmation from the Chief Building Official that sufficient space exists on the property to ensure the swimming pool will not compromise the functionality of the septic system. Following a review of the application,

the Chief Building Official has confirmed that the proposed pool location presents no concerns.

2. Analysis

TEST OF GENERAL INTENT & PURPOSE OF OP:

The subject lands are designated Settlement Residential in the Township Official Plan (Map 5.7). The Settlement Residential designation is applied in Rural Settlement Areas to areas where the predominant use of land is for housing and related residential land uses.

The applicant is requesting to install an in-ground pool as an accessory to a residential use. This change is in keeping with the allowable uses in the Official Plan and staff are satisfied that the purpose and intent of the Official Plan is maintained.

TEST OF GENERAL INTENT & PURPOSE OF ZONING BY-LAW:

The subject lands are zoned Settlement Residential 18 (SR-18) under Township Zoning By-law 28-2006. The SR-18 zone prohibits in-ground, indoor or above-ground swimming pools. This zone was added by By-law 71-89. All of the properties within this zone utilize on-site sewage systems for sewage treatment. This zoning provision was added to ensure that all properties within this zone are able to adequately install a second on-site sewage system in the event of failure of the original system.

Staff are satisfied that in the event of a failure of the existing septic system, the property owners would be able to adequately replace the system. Staff are of the opinion that the minor variance is in keeping with the general intent of the Zoning By-law.

TEST OF MINOR AS TO PURPOSE & EFFECT:

The neighbouring properties to the north and south both have in-ground pools. The installation of a pool on the subject property is not anticipated to have any adverse impacts on surrounding properties. In addition, the proposed pool meets all other regulations in the Zoning By-law. Staff is of the opinion that the proposed variance is minor in nature.

TEST OF APPROPRIATE USE OF LAND, BUILDING OR STRUCTURE:

Given that pools are a permitted use in most residential zones across the Township, and that both neighbouring properties contain pools, staff are of the opinion that installing a pool on the subject lands is appropriate for this property.

3. Recommendations and Rationale

For the reasons outlined in this report, staff recommend that the Committee of Adjustment approve minor variance application A15/25 to permit an in-ground swimming pool as an accessory use at 30 Anita Drive, on land zoned SR-18.

4. Implementation Plan

Following the decision, a 20-day appeal period will begin. If the application is approved, and no appeals are received, the applicant is able to proceed with the project.

Township Strategic Plan Alignment

This report aligns with the initiative of Intensification, Zoning, Development and Growth with the strategic goal to rethink and reimagine land use. This objective involves adopting leading edge best practices and technology enablers.

Financial Implications

Nil.

Other Departments/Agency Comments

Building Department: Based on the septic information that was provided as well as the septic information on file, staff have no concerns with the proposed pool. Please note that a separate Pool Permit will be required to be obtained by the property owners prior to installation of the pool.

Region of Waterloo: No issues or concerns.

Legal Considerations

Nil.

Attachments

Attachment 1: Location Map

Attachment 2: Site Plan

Previous Reports on this Topic

Nil.

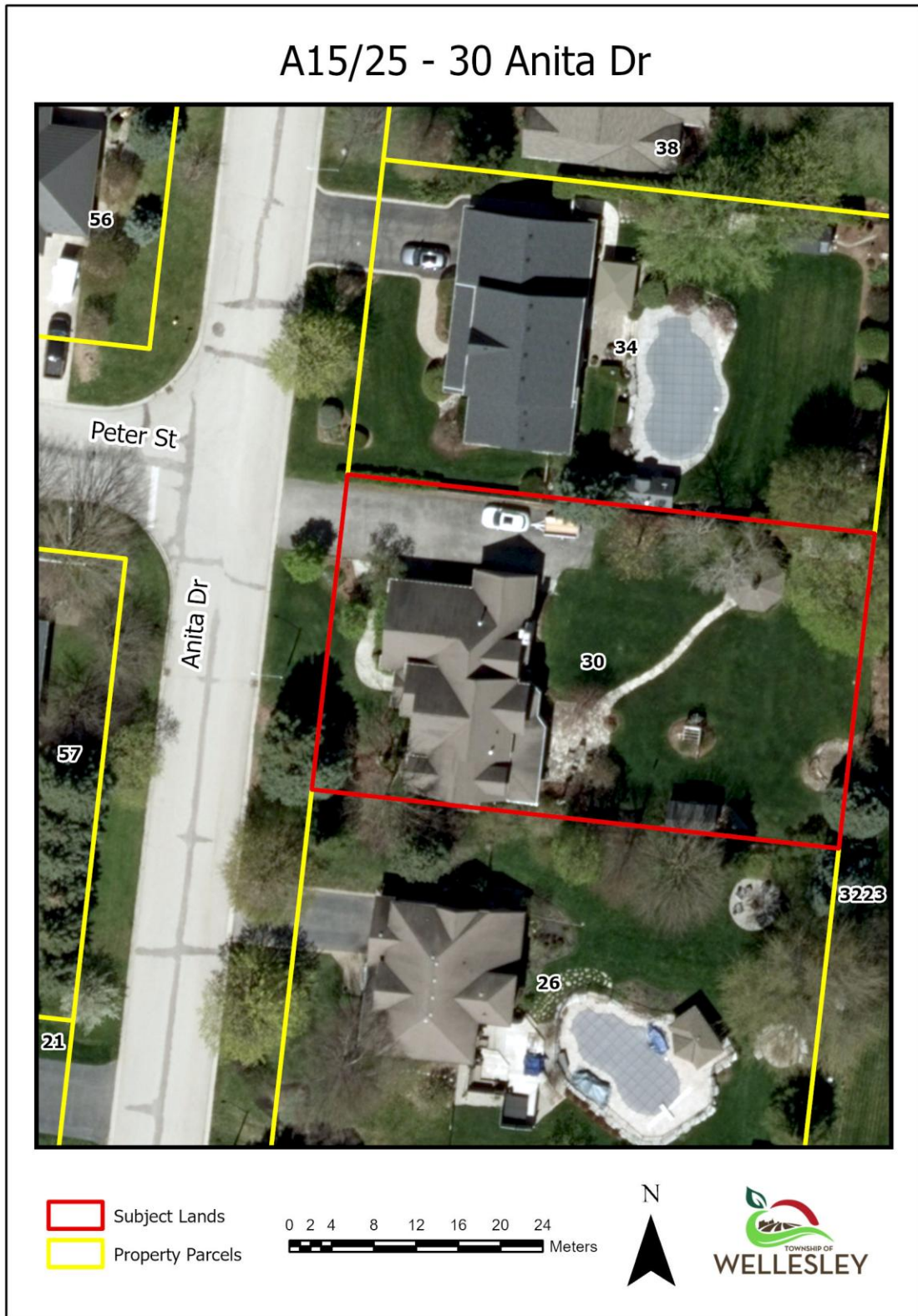
Reviewed by

Tim Van Hinte, Director, Development Services

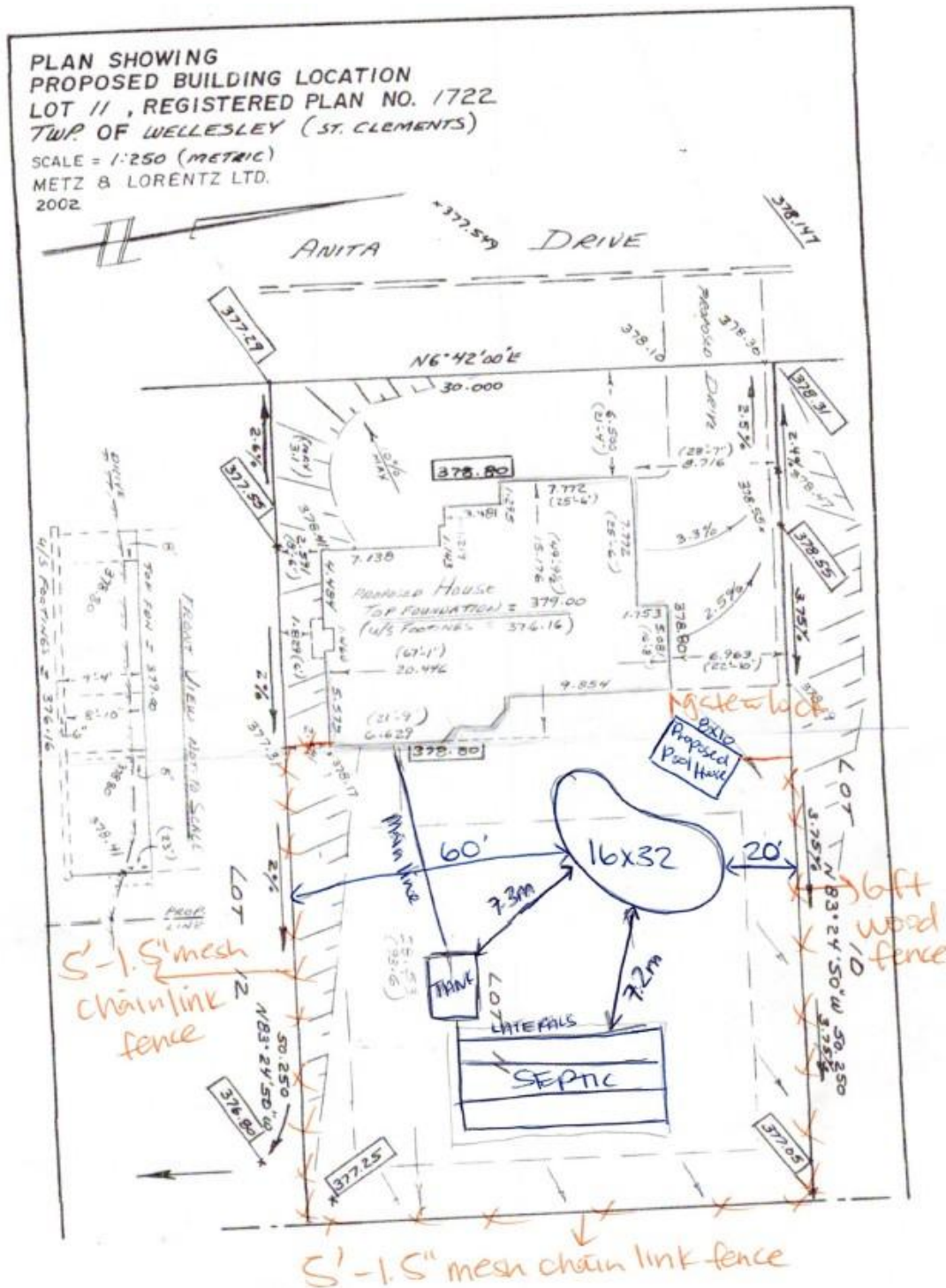
Approved by

Rik Louwagie, CAO

Location Map



Site Plan





PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES

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September 22, 2025

Tim Van Hinte
Township of Wellesley
4639 Lobsinger Line,
St. Clements, ON N0B 2M0

File No.: D20-20/VAR WEL

Dear Mr. Hinte:

Re: **Committee of Adjustment Meeting, September 30, 2025, Township of Wellesley**

Regional staff have reviewed the following Committee of Adjustment application(s) and provide the following comment:

- A15-25, 30 Anita Drive - No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require the payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above mentioned application(s) to the undersigned.

Yours truly,

Cheryl Marcy

Cheryl Marcy, C.E.T.
Manager, Corridor Development
226-753-1093



COMMITTEE OF ADJUSTMENT MEETING MINUTES

August 26, 2025, 5:45 p.m.

COUNCIL CHAMBERS

4805 William Hastings Line, Crosshill, Ontario N0B 2M0

Member Present: Derek Brick
 Lorne Haufe
 Paul Hergott
 Shelley Wagner

Member Absent: Ryan Martin

Staff Present: Deputy Clerk, Amy Harron
 Director of Planning, Tim Van Hinte

1. Call the meeting to order
2. Declaration of Pecuniary Interest (if any) in accordance with the Municipal Conflict of Interest Act
3. Applications to be heard by the committee
 - 3.1 Consent Applications B3/25, Brent Lavallee, 3697 Lobsinger Line

 Brent Lavallee explained where the new driveway would be located.

 Senior Planner, Bobby Soosaar provided details of the additional condition applied to the recommendation after the agenda package was distributed.

 Moved By Derek Brick
 Seconded By Lorne Haufe

 That consent application B3/25 at 3697 Lobsinger Line to create a new residential lot be approved subject to the following conditions:
 1. **THAT** the Applicant pays all costs incurred by the Township in relation to the subject application, including but not necessarily limited to planning, administration, engineering and legal fees prior to the certification of the deeds, and further
 2. **THAT** the Applicant pays the Township any outstanding taxes, in full, for the Subject Property, prior to the certification of the deeds, and further,

3. THAT the Applicant arranges for a new survey of the subject lands to be completed by an Ontario Land Surveyor to be registered on title at the time of the certification of the deeds, and further,

4. THAT the Owner/Applicant contribute to the Township street lighting reserve in the amount of \$2,255.00 per lot that is being created, prior to the certification of the deeds.

5. THAT the Applicant pay to the Township cash-in-lieu of parkland dedication in the amount of \$6840.00, prior to the certification of the deeds, and further,

6. THAT prior to final approval the owner/applicant is required to enter into a registered development agreement with the Region of Waterloo to the satisfaction of the Region of Waterloo, for the retained and severed lands, that includes the requirement for the following noise mitigation measures and warning clauses in all Offers of Purchase and Sale, lease/rental agreements for all dwellings:

“Purchasers/tenants are advised that sound levels due to increasing road traffic on Regional Road #15 (Lobsinger Line) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”and further,

7. THAT the existing house located at 3697 Lobsinger Line be demolished, prior to the certification of the deeds, and further,

8. THAT the applicant obtain a Regional access permit for any new access proposed to Regional Road 15, to the satisfaction of the Region. If a shared entrance is proposed, a signed mutual access agreement to the satisfaction of the Region, and further,

9. THAT prior to final approval, the owner/applicant is required to enter into an agreement with the Township of Wellesley for all units on the severed and retained lands to implement the required noise mitigation and warning clauses in all agreements of Offers of Purchase and Sale, lease/rental agreements:

a. The dwelling on the severed and retained lot will be designed with an air ducted heating and ventilation system suitably sized to install a central air conditioning system.

b. *“This unit has been designed with the provision of adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Township of Wellesley*

and the Ministry of the Environment Conservation & Parks (MECP).”and further,

10. THAT prior to final approval the owner/applicant is required to enter into a registered development agreement with the Township of Wellesley in a form acceptable to the Township, including a requirement that the owner/applicant obtain a building permit for and construct a residential dwelling on the retained lands within a period not exceeding five (5) years from the date of consent, and further,

11. THAT pursuant to Section 53(41) of the Planning Act, R.S.O. 1990, C.P. 13, as amended, the approval granted herein shall lapse two (2) years from the date of approval if the conditions mentioned herein are not completed satisfactorily, and further,

12. THAT prior to final approval, the owner/applicant revise, if required by the Township Engineer, the Scoped Hydrogeological Assessment (Chung & Vander Doelen Engineering, September 4, 2019) in accordance with the provisions of the Regional Implementation Guideline for Source Water Protection Studies to the satisfaction of the Township.

CARRIED

- 3.2 Minor Variance Application A12/25, 4411 Powell Road, Tilman Bauman
No one came forward.

Moved By Paul Hergott
Seconded By Derek Brick

That application A12/25 at 4411 Powell Road be approved to permit an increase in the maximum floor area of the barn/accessory building from 297m² to 386m².

CARRIED

- 3.3 Minor Variance Application A13/25, 1132 Henry Street, Dave Zyta
No one came forward

Moved By Lorne Haufe
Seconded By Derek Brick

That application A13/25 at 1132 Henry Street be approved to increase the maximum lot coverage for an accessory structure from 10% to 21.8%.

CARRIED

- 3.4 Minor Variance Application A14/25, Peter Martin, 3502 Hutchison Road

no one came forward.

Lester Frey from 3890 Lavery Road, supported his neighbours application.

Moved By Lorne Haufe

Seconded By Derek Brick

That application A14/25 at 3502 Hutchison Road to reduce the MDS setback from the nearest lot line and road allowance to 3 m, and to reduce the minimum side-yard width to 3 m, be approved subject to the following condition:

THAT the Applicant enter into a Limiting Distance Agreement with the Township and owner of the adjacent lands at 4750 Ament Line recognizing the required distances beyond the North and East property lines where future construction would be restricted and that the completed agreement be registered on title.

CARRIED

4. Adoption of minutes as circulated

Moved By Paul Hergott

Seconded By Lorne Haufe

That the minutes of the previous Committee of Adjustment meeting be adopted as presented.

CARRIED

5. Ongoing Applications

Director of Development Services, Tim Van Hinte noted that no current applications are being processed and staff will determine if the September meeting is required.

6. Unfinished Business

7. Next Meeting

8. Adjournment

Moved By Lorne Haufe

Seconded By Derek Brick

That the Committee meeting is now adjourned.

CARRIED