



## PLANNING REPORT

Corporation of the Town of Erin  
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**DATE:** May 15th, 2025

**TO:** Justin Grainger, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Jasmine Malhi, Planning Technician, Town of Erin

**SUBJECT:** Minor Variance Application A03-25  
Areva Designs Inc. c/o Edward Cheung  
5666 Winston Churchill Blvd  
Part Lot 20, Concession 11; Now Part 1 on Registered Plan 61R-10902

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### Application

The applicant is seeking relief from Zoning By-law 07-67, as amended, to permit the construction of an addition to the existing detached garage (accessory structure). A Minor Variance application has been submitted concerning the proposal, requesting the following relief:

- Section 4.2.3 (Building Height): an accessory building with a maximum building height of 4.7 m; whereas the maximum building height of an accessory building shall not exceed 4.5 m.
- Section 4.2.4.2 (Lot Coverage): an accessory building with a maximum ground floor area of 372 m<sup>2</sup>; whereas 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>).

A location map, site plan, floors plans and elevations of the proposed addition to the existing detached garage (accessory structure) are included in this report as Attachments A, B and C.

Staff note that the Applicant has advised relief from Section 5.1.2 – Agricultural Lot Regulations is no longer required as the regulations only applied to the main building on the lot, whereas the proposal is for the accessory structure.

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### Recommendation

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

### Discussion

The subject property is approximately 2 acres in area with approximately 135.25 m (443.75 ft) of frontage along Winston Churchill Blvd. The property is currently designated Secondary Agricultural Area and Greenlands on Schedule A – Land Use in the Town of Erin's Official Plan and zoned Agricultural (A) in the Town's Zoning By-law 07-67. The applicant proposes an addition to the existing detached garage (accessory structure).

A minor variance (A09-22) was previously granted for the lot coverage of the detached garage (accessory structure) on May 12, 2022.

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.	<p>The property is designated as Secondary Agricultural Area and Greenlands on Schedule A1 – Land Use, in the Town of Erin's Official Plan.</p> <ul style="list-style-type: none"><li>• The use of land in the Primary and Secondary Agricultural Area designations shall be guided by the policies of the County of Wellington Official Plan.</li><li>• The subject lands are designated as Secondary Agricultural Area and Greenlands in the County Official Plan. The lands are also designated as Prime Agricultural in the Provincial Systems Mapping.</li><li>• In addition, the subject lands are also within the Protected Countryside and Natural Heritage System of the Greenbelt Plan.</li><li>• Agriculture is the primary land use, however a range of residential uses are permitted with the Primary and Secondary Agricultural Area designations including accessory structures (garages).</li><li>• The County Official Plan includes policies that apply within the Natural Heritage System which state that new development or site alteration is permitted in the Natural Heritage System provided that there will be no negative effects on key natural heritage features or key hydrologic features or their functions.</li><li>• The relief requested pertains to an addition to the existing detached garage (accessory structure).</li><li>• The proposed addition to the existing detached garage is planned to be constructed within an area of the property that is already cleared, no further trees are being removed, and the addition is planned to be located on the existing paved surface area.</li></ul>

	<ul style="list-style-type: none"> <li>• In addition, the Greenbelt Plan permits the expansion, maintenance and/or replacement of existing buildings/structures, therefore the proposal complies with the policies of the Greenbelt Plan.</li> <li>• County Staff and Conservation Authority (CVC) have also indicated that they do not have any concerns with the proposed Minor Variance application.</li> </ul> <p>Planning staff are of the opinion that the proposed variances are in keeping with the general intent and purpose of the Town of Erin's Official Plan.</p>
<p>That the general intent and purpose of the <b>Zoning By-law</b> is maintained.</p>	<p>The subject property is zoned Agricultural (A) on Schedule A, in The Town of Erin's Zoning By-law 07-67, as amended.</p> <ul style="list-style-type: none"> <li>• The general intent and purpose of the Zoning By-law is to regulate land uses and regulations, as it relates to the placement of buildings and structures on land.</li> <li>• Accessory structures (garages) are permitted within the Agricultural (A) Zone, subject to the maximum height, size and location provisions within the By-law.</li> </ul> <p><b>Building Height</b></p> <ul style="list-style-type: none"> <li>• A variance is requested to permit an accessory building with a maximum building height of 4.7 m; whereas the maximum building height of an accessory building shall not exceed 4.5 m.</li> <li>• The proposed maximum height is consistent and compatible with the existing garage and surrounding lots.</li> <li>• In addition, due to the setback from Winston Churchill Blvd, and the surrounding wooded area along the north, west and south lot lines, there will be no impact on surrounding properties and no increased visibility of the garage from the Winston Churchill Blvd.</li> </ul> <p><b>Lot Coverage</b></p> <ul style="list-style-type: none"> <li>• A variance is requested to permit an accessory building with a maximum ground floor area of 372 m<sup>2</sup>; whereas 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>).</li> <li>• The Zoning By-law also provides that the total lot coverage of all accessory buildings on a lot shall not exceed 10% of the lot area.</li> <li>• The variance is requested to permit an addition to</li> </ul>

	<p>the existing detached garage (accessory structure) to store personal vehicles (antique collector cars).</p> <ul style="list-style-type: none"> <li>• The existing detached garage is 223 square metres and the proposed addition is 149 square metres.</li> <li>• The proposed lot coverage of the existing detached garage plus the addition is 4.5%, which does not exceed the total lot coverage provision of 10%.</li> <li>• The subject property is large enough to accommodate the size and height of the proposed addition to the existing detached garage (accessory structure).</li> <li>• As stated previously due to the setback from Winston Churchill Blvd, and the surrounding wooded area along the north, west and south lot lines, there will be no impact on surrounding properties and no increased visibility of the garage from the Winston Churchill Blvd.</li> <li>• Staff believe it is also appropriate to allow the proposed addition to the existing detached garage (accessory structure), to prevent outdoor storage of vehicles on the property.</li> <li>• The Applicant has also confirmed that no repairs or maintenance will be conducted on the property.</li> </ul> <p>Planning staff are of the opinion that the proposed variances maintain the general intent and purpose of the Town of Erin's Zoning By-law.</p>
<p>The variances are <b>desirable</b> for the appropriate development and use of the land, building, or structure.</p>	<ul style="list-style-type: none"> <li>• The purpose of the proposed variances are to allow for the construction of an addition to the existing detached garage (accessory structure).</li> <li>• As stated previously the proposed maximum height is consistent and compatible with the existing garage and surrounding lots.</li> <li>• As well, due to the setback from Winston Churchill Blvd, and the surrounding wooded area along the north, west and south lot lines, there will be no impact on surrounding properties and no increased visibility of the garage from the Winston Churchill Blvd.</li> <li>• The existing residential use and function of the property remains unchanged.</li> </ul> <p>Planning staff are of the opinion that the variances are</p>

	desirable and appropriate.
The variances are <b>minor</b> in nature.	<ul style="list-style-type: none"> <li>Approximately half of the property is heavily wooded, significantly limiting the available building envelope. As stated previously, the proposed addition to the existing detached garage is planned to be constructed within an area of the property that is already cleared, no further trees are being removed, and the addition is planned to be located on the existing paved surface area.</li> <li>The requested variances are minor in nature, will not impact key natural heritage features or key hydrologic features or their functions, and will not result in any changes to the residential use and function of the property. The variances continue to maintain the site layout and function of the property.</li> </ul> <p>Planning staff are of the opinion that the requested variances are minor in nature.</p>

## Public, Agency, & Town Comments

### County of Wellington Planning

- The subject lands are designated as Secondary Agriculture and Greenlands in the County Official Plan. Identified features include Credit Valley Conservation Authority (CVCA) regulated Subwatershed Environmental Priority Areas. Additionally, the property is located within the Provincial Greenbelt Plan and is identified as Protected Countryside and Natural Heritage System. The Provincial Growth Plan mapping identifies the lands as Prime Agricultural, therefore the policies of Section 6.4 of the County Official Plan apply to the subject lands.
- Planning staff note that the proposed variance would facilitate the construction of a detached garage. Planning staff note that the new accessory structure is proposed partially within a natural feature area and therefore any comments from the Credit Valley Conservation Authority should be considered. Overall, Staff do not have any concerns with the proposed Minor Variance application.

### Town of Erin Infrastructure Services

- As of writing this report, no comments received.

### 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.

### Ainley Group (Town of Erin's Engineering Peer Reviewer)

- As of writing this report, no comments received.

#### Credit Valley Conservation Authority (CVC)

- Based on the mapping, staff can confirm that the subject property is not regulated by CVC and that the proposed development is outside of CVC's regulated area. Please note, the required buffer requirements have reduced for surrounding wetlands from 120 m to 30 m. As such, no further comments will be provided.

#### Wellington Source Water Protection

- As the property is not located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

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

Prepared by



Jasmine Malhi,  
Planning Technician

#### **Attachment(s):**

Attachment A – Location Map  
Attachment B – Site Plan  
Attachment C – Elevations