



## TOWN OF MINTO

**MEETING DATE:** January 23<sup>rd</sup>, 2024  
**REPORT TO:** Mayor Turton and Members of Council  
**SERVICE AREA:** Building Department  
**SUBJECT:** PLN 2024-001 – Zoning By-law Amendment: ZBA 2023-05 – Lebau/Gorgi – Destination Estates  
660 Yonge St, Palmerston

### RECOMMENDATION

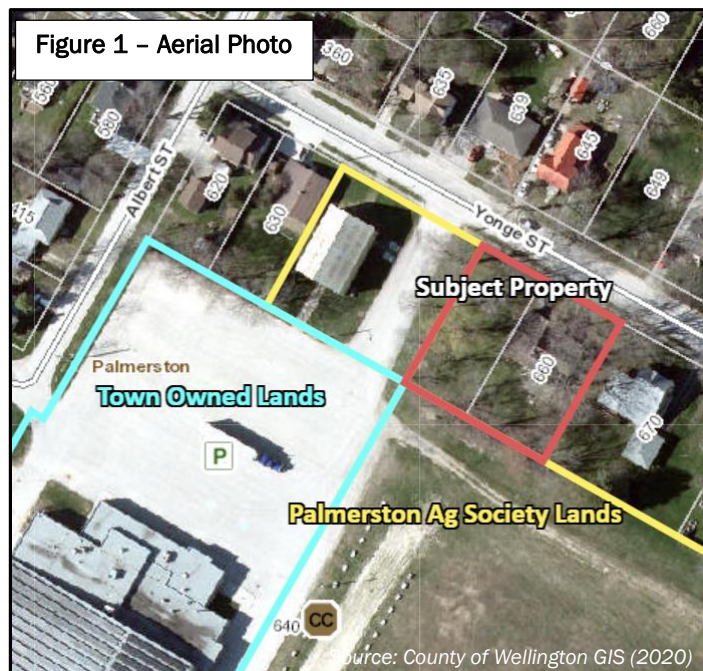
THAT the Council of the Town of Minto receives report PLN 2023-047 for ZBA 2023-03 – Lebau/Gorgi – Destination Estates, for land legally described as Lots 6 & 7 Southwest of Yonge Street, Grains Survey, Plan 61R-22238, Part 1 & 2, with a municipal address of 660 Yonge Street, for information and considers a By-law in open session.

### BACKGROUND

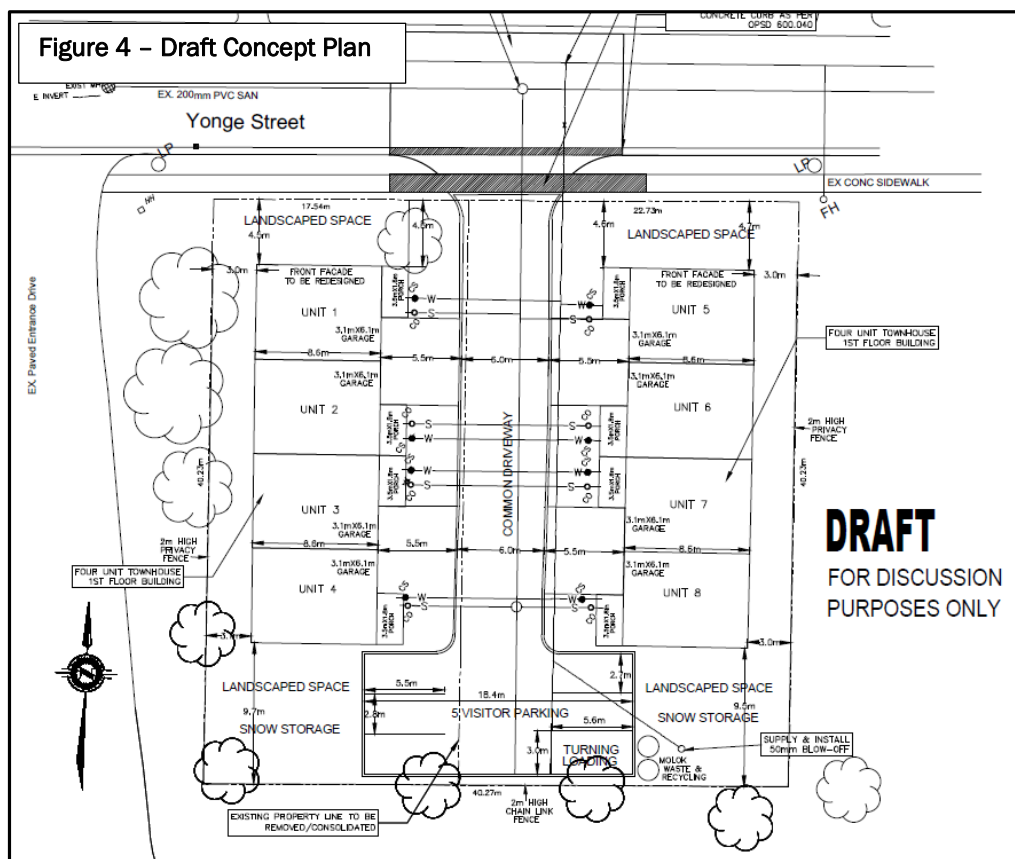
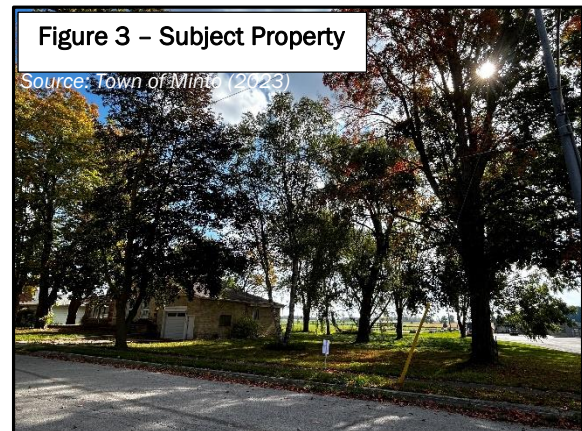
The subject property for the proposed Zoning By-law Amendment has a municipal address of 660 Yonge Street and is legally described as Lots 6 & 7 Southwest of Yonge Street, Grains Survey, Plan 61R-22238, Part 1 & 2. The property is approximately 0.40 ac (0.16 ha) in size and is located within the urban boundary of Palmerston. The property currently has an existing one-storey single-detached dwelling on it that is proposed to be demolished to facilitate the development.

The purpose of the proposed Zoning By-law application was to rezone the subject lands from Residential (R2) Zone to Residential Site-Specific (R2-XX) Zone to permit two 4-unit Cluster Townhouse dwellings with a reduced lot area, interior side yard setback and driveway width, and to permit the required visitor parking spaces to be provided in tandem and in the driveways of each unit. The property is proposed to be accessed from Yonge Street. The dwellings are proposed to be 3-storeys and will not have basements due to the high water table in the area.

On October 31<sup>st</sup>, 2023, the Town held a Public Meeting regarding the proposed Zoning By-law Amendment. At that meeting, Council considered written correspondence from neighbouring landowners who voiced comments and concerns pertaining to aspects of the proposed development. Town staff, County staff, the developer and their consultant heard



the concerns and have worked to facilitate revisions to the proposed amendment to address them. As a result, the proposed zoning is now Residential Site-Specific (R3-54). Town staff felt that an R3 site-specific zoning was more appropriate to simplify the wording of the by-law and require items under the R3 zoning such as buffering, common amenity space and a garbage storage area. The intent of the by-law remains the same.



Source: Triton Engineering Services Limited (2023)

## Provincial Growth Plan & Provincial Policy Statement

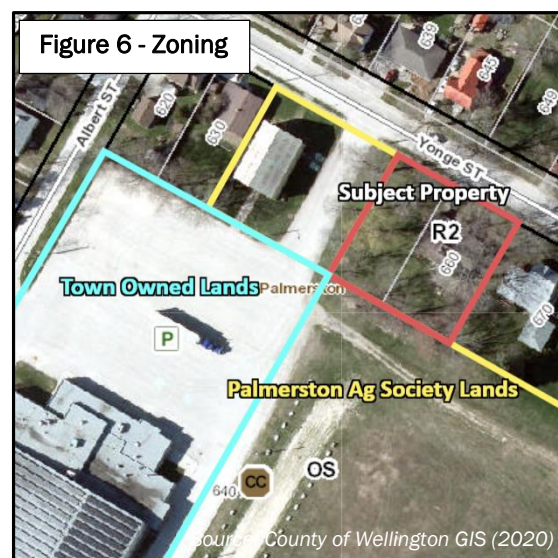
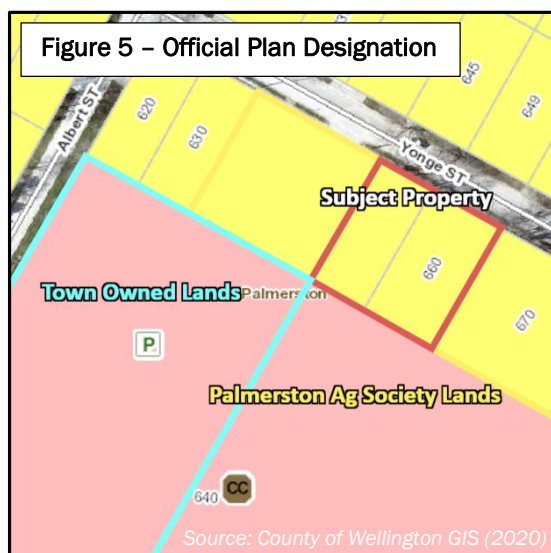
Please refer to the attached report by the County of Wellington for additional information pertaining to conformity with the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement.

## Wellington County Official Plan

The subject property is currently designated as Residential. Please refer to the attached report by the County of Wellington for additional information pertaining to conformity with the County of Wellington's Official Plan.

## Town of Minto Zoning By-law

The subject property is currently zoned Residential (R2). The proposed site-specific requirements are outlined the County of Wellington's report (attached).



## COMMENTS

Town Staff, Wellington County's Planning Department, Maitland Valley Conservation Authority, Wellington Source Water Protection, as well as other agencies required by the *Planning Act* have been circulated the application for review and the following comments were received.

### Wellington County's Planning Department

Planning Staff at the County have reviewed the application and have noted concerns with the proposed design/orientation of the building and reduced side yard setback. Their concern is that the 3.0 m side yard setback is inadequate considering the building height (3 storeys), and that the side yard will be functioning as the rear yard for the units. They also note concerns with the lot being too small for the proposed design/layout and that there may be limited space for snow storage, drainage, visitor parking and adequate buffering. The report is attached for Council to review.



### **Maitland Valley Conservation Authority (MVCA)**

MVCA has reviewed the application and have no concerns regarding the proposed development.

### **Wellington Source Water Protection (SWP)**

Wellington Source Water Protection reviewed the Source Water Protection Screening Form for the proposed development and have indicated that the proposed use will not create a significant drinking water threat. As such, the application was screened out and does not require a Section 59 notice under the *Clean Water Act*. Future planning applications will require circulation to SWP and comments may be provided at that time.

### **Town of Minto Staff**

The table below outlines the concerns brought forward at the Public Meeting by Council, neighbouring landowners and Town staff and how they will be addressed.

Concern	Response
<b>Parking</b>	<p>Each dwelling unit is proposed to have 1 parking space in the attached garage and sufficient space in the driveway for an additional/tandem space, totaling 16 parking spaces for 8 units. In addition to those spaces, 5 visitor parking spaces and 1 delivery parking space is being provided on the rear of the property. A total of 22 parking spaces is now proposed.</p> <p>To achieve sufficient visitor parking at the rear of the property, a front yard setback reduction from the required 6.0 m to 4.5 m is proposed. The existing 6.0 m setback in the Town's by-law is to allow for sufficient space for a vehicle to park. As parking will not be provided fronting onto Yonge St, Town staff are supportive of this reduction. A provision has also been included to ensure that any potential porch encroachments into the required front yard remain what is already permitted (no closer than 3.0 m to the front lot line).</p> <p>While Town staff cannot comment on the exterior façade of the building, it is staffs preference that the portion of the dwellings facing Yonge St/front lot line, be designed to appear as the front of the end units opposed to a solid interior side wall.</p>
<b>Density</b>	<p>Town staff are generally supportive of a more intensive residential use of the property.</p>
<b>Snow Storage</b>	<p>Snow storage is now indicated on the site sketch. Town staff have requested that a solid board fence be provided on the rear and interior lot lines of the property to ensure that snow is not pushed onto neighbouring properties.</p>
<b>Buffering</b>	<p>A solid board fence that is a minimum of 6.0 ft high is required on the rear and interior lot lines.</p> <p>This will also help delineate the property lines and mitigate any potential</p>

	land use compatibility conflicts with the neighbouring properties.
<b>Tree Removal</b>	<p>The developer indicated at the Public Meeting that tree removal would be required to facilitate the development but they intend to retain as many trees as possible.</p> <p>Town staff would request as many trees be saved as possible. The developer is not permitted to remove any trees on adjacent properties and property lines should be confirmed prior to any removal(s).</p>
<b>Privacy</b>	A solid board fence that is a minimum of 6.0 ft high is required on the rear and interior lot lines.
<b>Shadowing</b>	The developer's consultant indicated that they do not have concerns regarding shadowing.
<b>Reduced Interior Side Yard Setback</b>	<p>Town staff have concerns with a reduced interior side yard setback of 3.0 m (9.84 ft). The interior side yard setback is what will be utilized by the units as their "rear" yard and "common amenity space." The reduction requested is half of what is required.</p> <p>That being said, Town staff also recognize that without this interior side yard setback reduction, this development as proposed is likely not feasible on the property as there is no additional space for reconfiguration.</p>
<b>Traffic</b>	Town staff did not feel there was a concern with traffic.
<b>Solid Waste Services</b>	The location of the proposed molok system has been added to the site sketch as well as a loading/delivery space for the when the moloks are emptied.
<b>Common Amenity Area</b>	The R3 zoning provisions require common amenity space be provided. A minimum of 800.8 ft <sup>2</sup> is required. The developer has not requested relief for this and based on the submitted site sketch appears to exceed it.
<b>Grading, Drainage &amp; Servicing</b>	<p>A Grading, Drainage &amp; Servicing Plan is required to be completed by a qualified individual and approved by the Town prior to the issuance of a Building Permit. Post-development flows cannot exceed pre-development.</p> <p>The developer has confirmed they are aware of the high water table in the area and are not proposing basements as a result.</p>

As previously mentioned, Site Plan Control is no longer applicable to this development as a result of recent provincial changes (SPC can no longer apply to 10 units or less). Town staff are satisfied that the by-law proposed addresses the items that would have been previously addressed. Town staff are also satisfied that should this development remain rental units and not go through the Condominium process, that the Towns and neighbouring landowners interests are addressed.

The Wellington County Planning Department report is attached for your review.

**STRATEGIC PLAN**

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

**PREPARED BY:** Terry Kuipers, Director of Building & Planning Services

**RECOMMENDED BY:** Chris Harrow, Interim Chief Administrative Officer  
Mark Potter, Interim Chief Administrative Officer