



TOWN OF MINTO

MEETING DATE: March 19th, 2024
REPORT TO: Mayor Turton and Members of Council
SERVICE AREA: Building Department
SUBJECT: PLN 2024-011– Zoning By-law Amendment (ZBA 2023-09) – Josh, David & Alfred Theissen
24 Minto St N, Clifford
CON D PT PARK LOT 2 RP 61R7235 PART 1

RECOMMENDATION

THAT the Council of the Town of Minto receives report PLN 2024-011 for the proposed Zoning By-law Amendment (ZBA 2023-09) – Theissen, for lands legally described as CON D PT PARK LOT 2 RP 61R7235 PART 1, with a municipal address of 24 Minto St N, Clifford, for information and considers passing a By-law in open session;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no further notice is determined to be necessary.

BACKGROUND

The subject lands are located in the urban boundary of Clifford and are legally described as CON D PT PARK LOT 2 RP 61R7235 PART 1, with a municipal address of 24 Minto St N, Clifford. The lands are approximately 0.98 ac (0.40 ha) in size and currently vacant.

The purpose and effect of the proposed Zoning By-law amendment will rezone the lands from Residential (R1B) Zone to Site-Specific Holding Residential (R2-XX(H)). The amendment is required in order to facilitate the construction of 4 - 4 unit street townhomes with a reduced lot area of 240 m² (2,583 ft²) per dwelling unit and an increased lot coverage of 60%. A Hold is proposed to be added to the property until servicing is provided to the Town's satisfaction. To remove the Hold, a report will come back before Council at a later date.

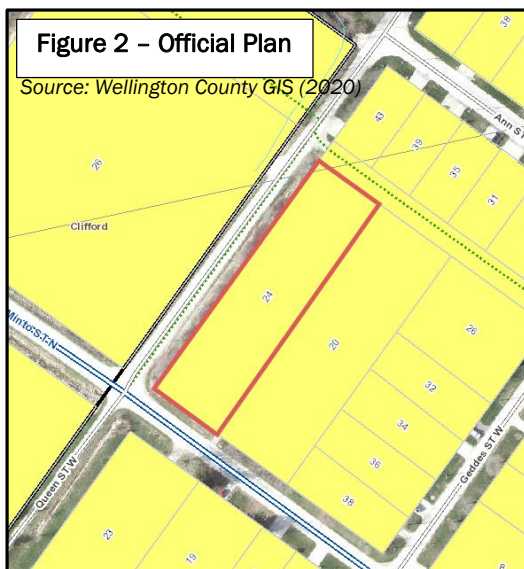


Wellington County Official Plan

The subject lands are 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 (R1B). The existing zoning permits for single-detached dwellings and accessory structures.



On February 6, 2024, the Town held a Public Meeting regarding the proposed Zoning By-law Amendment. At that meeting, Council considered comments and written correspondence from neighbouring landowners who voiced concerns pertaining to aspects of the proposed development. Town staff, County staff, the developer and their consultant heard the concerns and Town staff are satisfied that the Town's and neighbouring landowners' interests are addressed.

COMMENTS

Town staff intended on bring a report and By-law forward for Council's consideration at the March 5th, 2024 Council meeting, however the lot coverage calculations were verified just prior to the Council meeting, increasing the maximum lot coverage per unit to 60% opposed to the 55% that was applied for. The increased relief requested for the lot coverage of 5% equates to an additional 11.1m² (120.0 sq. ft.).

Council has the authority through the Planning Act to amend a draft By-law after a Public Meeting, with or without notifications to persons that attended the Public Meeting and without any appeal mechanism in place. As the Public Meeting process is intended on being transparent, staff felt that it was important to advise the persons who attended or submitted comments for the Public Meeting, prior to moving the application forward. In discussion with County Planning staff, a Notice of Consideration (attached) was sent to those who had attended the Public Meeting, identifying the change with the application.

Town staff have reviewed the proposed changes to the lot coverage and have no concerns with the increase, as there is no change in the building envelope shown at the Public Meeting.

Town staff have received and reviewed the County's report and support the comments brought forward within it. In addition to the comments contained in the County's report,

Town staff would like to offer the following additional comments.

Servicing

Town staff are recommending that a Hold be applied with the proposed ZBA until municipal services are available to the property. Servicing currently does not extend down Queen St and a preliminary cost estimate completed by Triton Engineering totals \$657,746.35. This is a high-level estimate and actual costs will not be known until the tender is awarded. Town staffs position remains that this development is not currently budgeted for, and at this point, the Town does not have funds budgeted for the Queen Street reconstruction, which has been communicated to the developer and their consultant.

In order for the Hold to be lifted to allow the development to proceed after the properties have been divided into 4 Blocks, the Queen Street reconstruction must be tendered and accepted, and a Servicing Agreement being entered into, which includes the developer providing the Town with cash, as per the terms of the Agreement.

Town staff want to add that the Planning Justification Report refers to the 1 ac parcel of Town owned property at the end of Ann St that could benefit from this servicing work. However, the Town does not currently intend to develop this parcel due to the costs associated with doing so. This option has been previously explored by Town staff and as Municipal Drain #93 dissects the property and in addition to the minimum 30 m setback from this drain for development, any development on the property would require both a Flood Plain Study and EIS completed to the satisfaction of SVCA. Simply put, the costs incurred are anticipated to be high and it is therefore not currently feasible in the Town's best interest to develop the property.

In addition to the above, each dwelling unit will require individual servicing stubs (no Y connections). Individual and an overall Grading, Drainage & Servicing Plan is also required to be approved by the Town prior to Building Permit issuance.

Source Water Protection

Blocks C and D of the proposed development are within the Source Water Protection Screening area and a SWP Screening Form will be required to be completed at the time of the Building Permit Application.

Neighbouring Landowners/Residents

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
Density	Town staff are generally supportive of a more intensive/efficient residential use of the property.
Rear Yard Access	An Access Easement will be required across one interior side yard and a portion of the rear yard of each Block for legal access to the interior units.

Servicing	<p>Town staff are recommending a Hold be applied until municipal services are available to the property.</p> <p>A Site Servicing Agreement will come back before Council at a later date, unless the services have actually been installed prior to the development of the subject property.</p>
Tree Removal	<p>The developer indicated at the public meeting that minimal 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 removals.</p>
Development Height	The developer indicated that the proposal is for 1 storey units.
Parking/Traffic	During the design of the reconstruction of the Queen Street reconstruction, Town staff and the Town's consulting Engineer will maximize the amount of on street parking as well as to implement traffic calming features.
Grading, Drainage & Servicing	A Grading, Drainage & Servicing Plan is required to be completed by a Professional Engineer or Ontario Land Surveyor and approved by the Town prior to the issuance of a Building Permit. Post-development flows cannot exceed pre-development onto adjacent properties.

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: Stephanie Chidlow, Administrative Assistant

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