



TOWN OF MINTO

MEETING DATE: June 4th, 2024
REPORT TO: Committee of Adjustment
SERVICE AREA: Building Department
SUBJECT: PLN 2024-022 – Minor Variance: MV 2024-04 –
Surinder Chaudhry

MINTO CON 1 PT LOTS 21, 22; FULLER AND WATSONS
SURVEY; LOTS 72 TO 74 PT LOT 71; RP 61R20712
PARTS 1, 2, 3 AND 6
255 Norman Street, Palmerston

RECOMMENDATION

THAT the Committee of Adjustment receives report PLN 2024-022 regarding proposed Minor Variance, MV 2024-04 - Surinder Chaudhry, for property legally described as MINTO CON 1 PT LOTS 21, 22; FULLER AND WATSONS SURVEY; LOTS 72 TO 74 PT LOT 71; RP 61R20712 PARTS 1, 2, 3 AND 6 with a municipal address of 255 Norman Street, within the former Town of Palmerston, Town of Minto.

BACKGROUND

The subject property for the proposed Minor Variance has a municipal address of 255 Norman Street. The property is located within the Urban Boundary of Palmerston and is approximately 2,806m² (30,236.46 ft²) in size. The property is currently vacant with the foundation of the former lumber yard being razed by fire a few years ago.

PURPOSE

The purpose and effect of this Minor Variance application is to provide relief from the minimum lot area requirement within the R3 Zone for a proposed 20 unit apartment building. Clause 13.2.3.1 requires a minimum lot area of 3,223.8m² (34,687.95 ft²) under the Town of Minto's Comprehensive Zoning By-law 01-86, as amended, whereas the existing site is approximately 2,806m² (30,236.46 ft²) in size.



Figure 1 – Aerial Photo

Source: Wellington County GIS (2020)

Wellington County Official Plan

The subject property is currently designated by the County of Wellington Official Plan as INDUSTRIAL and located in the Primary Urban Centre of Palmerston. The County Official Plan considers Non-conforming uses under Section 13.8.1.

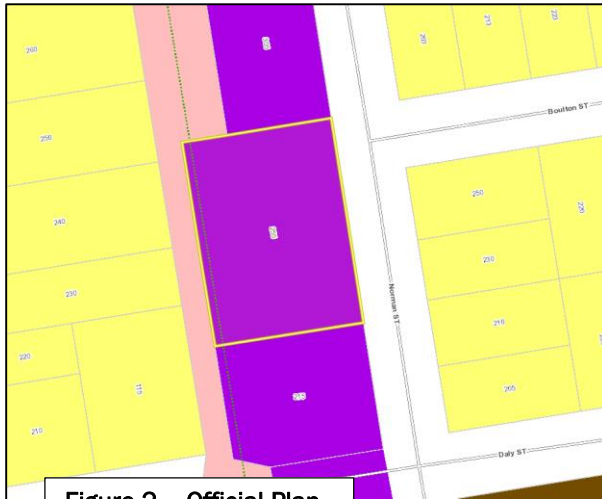


Figure 2 – Official Plan

Source: Wellington County GIS (2020)



Figure 3 – Zoning

Source: Wellington County GIS (2020)

Town of Minto Zoning By-law

The subject property is currently zoned mixed use (MU1-11) by the Town of Minto's Comprehensive Zoning By-law 01-86, as amended, which permits uses permitted in the R3 Zone subject to the applicable regulations of that Zone. The relief requested is outlined in the table below. The proposal complies with all other aspects of the zoning bylaw.

MIXED USE ZONE			
Section	Minimum	Proposed	Difference
13.2.3.1) Minimum Lot Area	3,223.8m ²	2,806m ²	417.8m ²

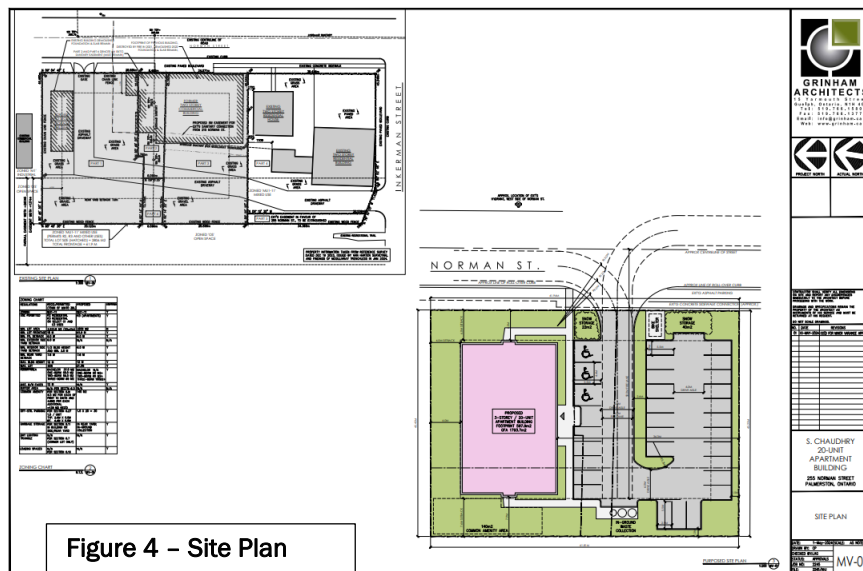


Figure 4 – Site Plan

COMMENTS

Town Staff, Wellington County's Planning Department, Maitland Valley Conservation Authority, property owners within 60m (400 ft) of the subject property, and any 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

The County has reviewed the application and have indicated their understanding of the relief being requested and note they have no concerns with recommending the requested relief be approved.

Wellington Source Water Protection (SWP)

The property is identified within a vulnerable area by the Wellington Source Water Protection Area. However, since the activities proposed pose no significant threat to drinking water, the application can be screened out, eliminating the need for a Section 59 notice under the Clean Water Act.

Maitland Valley Conservation Authority (MVCA)

MVCA has reviewed the application and have no concerns.

Town of Minto Staff

Public Works staff have noted that the Town intends to replace the sanitary sewer through the existing easement in conjunction with the development of this land. The owner/agent is aware of the Town's intention to replace this sanitary sewer and Town staff are awaiting a response regarding to the timing of their development from the owner. Council will recall that this sanitary sewer replacement was not anticipated within the 2024 budget, and as such, funds have not been reserved for this work within the 2024 budget.

Minor Variance Four Tests

When the Committee is considering a Minor Variance application, Section 45(1) of the *Planning Act* must be applied to determine if the Minor Variance should be approved. The four tests are as follows:

Criteria	Response
Is the application minor in nature?	Yes, the applicant is requesting minor relief to build a 20 unit apartment building.
Is it desirable for the appropriate development or use of the land, building, or structure?	Yes, the proposed 20 unit apartment building is permitted use on an existing lot.
Is it in keeping with the general intent and purpose of the Zoning By-law?	Yes, the proposed 20 unit apartment building is permitted use on an existing lot.
Is it in keeping with the general intent and purpose of the Official Plan?	Yes, the proposed 20 unit apartment building is permitted use on an existing lot.

No additional comments or concerns were raised by Town staff or by external agencies. No additional formal written submissions, or registrations to attend the Public Hearing, were received prior to the submission of this report.

STRATEGIC PLAN

Goal 1: Manage Our Infrastructure

Maintain, renew, and expand our municipally owned infrastructure to enhance healthy growth and our environment.

PREPARED BY: Sama Haghighi, Planning Coordinator

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