



TOWN OF MINTO

MEETING DATE:

August 13th, 2024

REPORT TO:

Mayor Turton and Members of Council

SERVICE AREA:

Building Department

SUBJECT:

PLN 2024-031 – Zoning By-law Amendment (ZBA 2024-07) – Larry Stever

33 and 37 Nelson St W and 26 Park St W, Clifford Concession D, Part Park Lot 6, E/S Minto Street, RP 61R10860 Parts 5, 6 and 7.

RECOMMENDATION

THAT the Council of the Town of Minto receives report PLN 2024-031 for the proposed Zoning By-Law Amendment ZBA 2024-07 – Larry Stever, for lands legally described as Concession D, Part Park Lot 6, E/S Minto Street, RP 61R10860, Parts 5, 6 and 7, with a municipal addresses of 33 and 37 Nelson St W and 26 Park St W, Clifford, for information and considers passing a By-law at a subsequent Council Meeting.

BACKGROUND

The subject lands are legally described as Concession D Part Park Lot 6 E/S Minto Street, RP 61R10860 Parts 5, 6 and 7 with municipal addresses of 33 and 37 Nelson St W and 26 Park St W. The subject properties are approximately 0.44 ha (1.09 ac) in total size and are all currently vacant. The subject lands are zoned Low Density Residential (R1B). The rezoning of 33 and 37 Nelson St W are conditions of consent applications B105/23 and B106/23 that were granted provisional approval by the Wellington County Land Division Committee. As a rezoning application is required as conditions of consent and as the owner also owns the identified Park St parcel, the owner is applying to rezone that parcel as well, as detailed below.



Figure 1 – Aerial Photo

Source: Wellington County GIS (2020)

PURPOSE

The purpose and effect of the proposed Zoning By-law amendment is to rezone the subject lands being Parts 5 and 6 on Nelson Street West from Residential (R1B) to a site specific

Residential (R1B-XX) Zone to permit a reduced minimum lot frontage of 14.6 m (47.9 ft) whereas 15 m (49.2 ft) is required for the proposed lots to permit single detached dwellings.

As this rezoning application is required for Nelson St consent applications and as the same owner owns the adjacent Park St parcel as well, the owner is also proposing to rezone the lands being Part 7 fronting on Park Street West, which consists of a 2,188.10 m² (approximately 0.54 ac) from Residential (R1B) to a Holding Residential (R2(H)) Zone for future residential development when municipal services are available. The owner’s intent for extending the rezoning application to cover the Park St. parcel as well, is to permit for additional development options for this parcel, above a Single Family Detached Dwelling, which is the only permitted development type under the current zoning.

An R2 zoning will permit development options from a Single Family Detached dwelling with a smaller frontage, up to a 4 unit street or cluster Townhouse development, provided other zoning provisions are met (including varying lot frontage, lot areas, setbacks and lot coverage requirements). The Hold provisions may be lifted once the municipal services are extended to the property, as per the application, as well as once verification has been received, to the satisfaction of the Town, that the existing Storm Water Management Pond can accommodate an increased development density on the Park St parcel, as per Public Works request below.

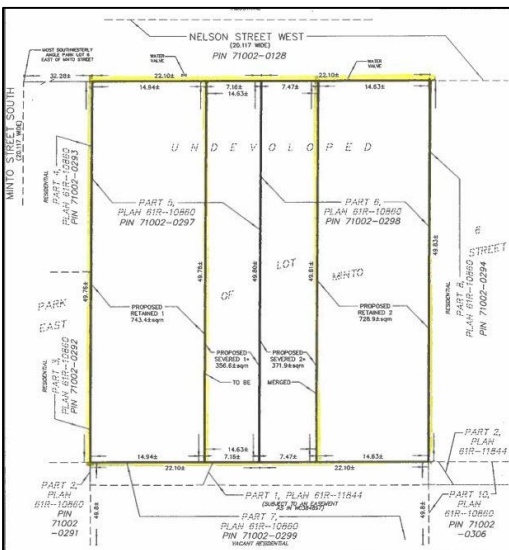


Figure 2 - Sketch

Source: Wilson Ford Surveying & Engineering



Figure 3 - Sketch

Source: Alex R. Wilson Surveying INC

Provincial Growth Plan

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.

Wellington County Official Plan

The subject property is designated Residential in the Primary Urban Centre of Clifford.

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 lands are currently zoned Low Density Residential (R1B). The applicant is seeking to rezone Parts 5 and 6 on Nelson Street West from (R1B) to a site-specific Residential (R1B-XX) Zone to permit a reduced minimum lot frontage. Additionally, the applicant proposes to rezone Part 7 on Park Street West from (R1B) to Holding Residential (R2(H)) Zone to facilitate future residential development. The Medium Density Residential (R2) zone is proposed with the intent of capturing expected zoning relief from the planned consents.



Figure 4 – Official Plan

Source: Wellington County GIS (2020)



Figure 5 – Zoning

Source: Wellington County GIS (2020)

COMMENTS

Town Staff, Wellington County’s Planning Department, Source Water Protection, Saugeen Valley Conservation Authority, property owners with 120m (400 ft) of the subject property 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 provided a review of applicable planning policies including the PPS, Growth Plan, and the County of Wellington Official Plan as it relates to the application. Following the public meeting, Planning Staff will prepare a final recommendation report and by-law for Council’s consideration.

Wellington Source Water Protection

This application, involving residential development on municipally serviced land, was reviewed according to the Clean Water Act and Saugeen Valley Source Protection Plan. It has been determined that neither Section 57 (Prohibition) nor Section 58 (Risk Management Plan) apply, as the proposed activities are not considered a significant drinking water threat. Having said that, a Section 59 Notice (a Notice to Proceed) has been issued by Wellington Source Water Protection and that the applicant has been notified that additional Section 59 Notices will be required prior to the issuance of Building Permit on the subject parcels.

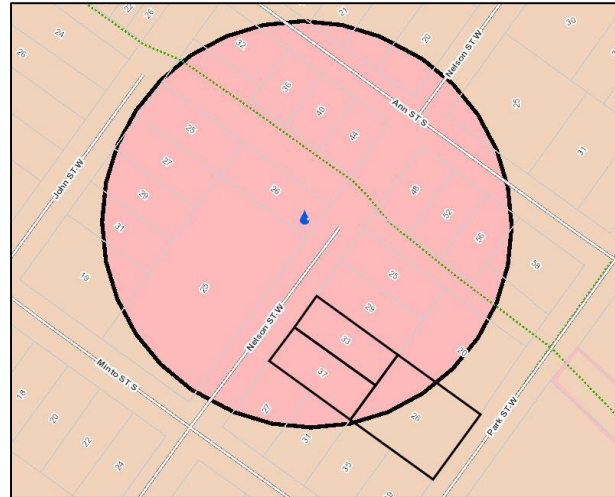


Figure 6 – Wellhead Protection Area

Source: Wellington County GIS (2020)

Saugeen Vally Conservation Area

The proposed consents are generally acceptable to SVCA staff. The comments from SVCA dated March 14, 2024, for B105-23 and B106-23 are relevant to this file. SVCA staff is of the opinion that consistency with Section 3.1, Natural Hazard policies of the PPS, has been demonstrated. Additionally, consistency with local planning policies for natural hazards has also been demonstrated.

Town of Minto Staff

Town staff have received and reviewed the County’s report and support the comments brought forward within it as it is consistent with the County of Wellington’s Official Plan and applicable provincial policies.

Public Works Department

Public Works have reviewed this planning application and as with the additional request for additional density above that required through the Nelson St W consent application, requires the applicant to have an engineer confirm that the existing Storm Water Management design and pond has the capacity for an increased density and impervious area that the site could experience with the proposed R2 zoning. This will need to be confirmed prior to Lifting of the Hold provision of the Park St parcel. If modifications are required to the Storm Water System design and/or the existing SWMP, the owner must address these prior to the Lifting of the Hold provision.

Neighbouring Landowners/Residents

No written submissions or registrations to attend the Public Meeting were received prior to the submission of this report.

The Wellington County Planning Department, Saugeen Valley Conservation Authority, and Source Water Protection Area reports are attached for your review.

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: Gregg Furtney, Chief Administrative Officer