

**MARIE LEROUX
LAND USE PLANNER**

551 Simcoe Street
Collingwood ON L9Y 1K2
705-718-4313 - cell
marieleroux24@hotmail.com - email

June 21, 2024

Town of Minto
5941 Highway 89, RR #1
Harriston ON N0G 1Z0

Attention: Terry Kuipers, Director of Building and Planning Services

Dear Mr. Kuipers:

Re: Zoning By-law Amendment Application
Larry Stever
33 and 37 Nelson St W, and 26 Park St W, Clifford
Town of Minto, County of Wellington

On behalf my client Larry Stever we are submitting to the Town of Minto a Zoning By-law Amendment application and supporting documents to satisfy a condition of Consent File B106-23 for the creation of one new lot from Mr. Stever's two lots located at 33 and 37 Nelson Street West and for the potential creation of three lots on his lot located on Park Street West in Clifford, Town of Minto, County of Wellington.

We had pre-consulted with the Town of Minto and County of Wellington planning staff back in June 2023. At that time, we prepared a submission for the creation of 6 lots from Mr. Stever's three lots. The two lots on Nelson Street have full municipal water and sanitary services. The lot on Park Street West does not have full municipal water and sanitary services in front along the street, at this time, but may come available in the near future with other developments in the area or Mr. Stever could choose to complete the service extension himself.

The Town and County indicated the support for the proposed lot on Nelson Street given the consent would comply with planning policies, however the minimum lot frontage requirement would not comply with the current Residential (R1B) zone. If the consent was granted the proposed and retained lots would need to be brought into conformity with the Town of Minto Zoning By-law either through Minor Variance applications or a Zoning By-law Amendment application. The proposed Zoning By-law Amendment would rezone the proposed and retained lots on Nelson Street West from Residential (R1B) to Residential (R2) to bring them into conformity with the zoning by-law.

The Town advised that there are other potential developments in Clifford that may require Park Street West being serviced by full municipal water and sanitary services. Mr. Stever is interested in developing the lot on Park Street West and has decided to proceed with rezoning this lot for the possibility of three lots in the future when the municipal water and sanitary services are extended along the street. The proposed Zoning By-law Amendment would rezone the lot on Park Street West from Residential (R1B) to Holding Residential (R2(H)) until such time as municipal water and sanitary services are extended to allow future development of this lot. In accordance with the Planning Act, R.S.O., as amended, Section 36, the holding provision is permitted, and an amending by-law is required to remove the holding symbol, once servicing have been extended and prior to the development proceeding.

This letter is being provided to outline the information on the properties, the current consents approved, potential future development, proposed rezoning, and how the proposed zoning by-law amendment is consistent with provincial policies, conforms with provincial plan, and county official plan.

The following documents are included with this letter for the proposed Zoning By-law Amendment application:

1. **Application for Zoning By-law Amendment and cheque in the amount of \$10,000.00 payable to the Town of Minto,**
2. **Surveyor's Sketch for the proposed severed lot, lot addition, and two retained lots (3 lots) on Nelson Street approved by Consent File B105-23 & B106-23 dated April 17, 2024,**
3. **Plan of Survey 61R10860 illustrating Mr. Stever's original three lots being Parts 5, 6, and 7 that are the subject lots proposed to be rezoned,**
4. **Air Photo showing the existing vacant residential lots and surrounding uses,**
5. **Burnside Lot Grading and Drainage Plan prepared for Stever in Oct. 2007, portion for the subject lots,**
6. **Wellington Source Water Protection comments for Consent File B105-23 & B106-23, and**
7. **Agent Authorization form.**

SUBJECT PROPERTIES

The subject lots are located at 33 and 37 Nelson Street West and 26 Park Street West in Clifford, in the Town of Minto, and at the very north-west corner of the County of Wellington. The lots are legally described as Concession D, Part Park Lot 6 E/S Minto Street, registered plan Village of Clifford, being Parts 5, 6, and 7 on reference plan 61R10860. The three lots are vacant residential lots.

The existing lots consists of –

Part 5 (37 Nelson St W) consists of 22.1m (72.5 feet) of frontage by 49.8 m (163.43 feet), with an overall area of 1100.75 sq. metres (11804 sq. feet).

Part 6 (33 Nelson St W) consists of 22.1m (72.5 feet) of frontage by 49.8m (163.43 feet) depth, with an overall area of 1110.74 sq. metres (11848.31 sq. feet).

Part 7 (26 Park St W) consists of 44.19m (145 feet) of frontage by 49.8m (163.44 feet) depth, with an overall area of 2201.69 sq. metres (23698.8 sq. feet).

All lots front onto a year-round maintained municipal road. Nelson Street West has municipal water and sanitary sewers. There is no municipal water and sanitary sewers at this time along Park Street West.

There is a drainage easement along the north lot line of the lot on Park Street West that was conveyed to the Township when the residential lots in this area were developed in 2008. The stormwater drainage from the rear of the lots drain into the drainage swale that flows to a stormwater management facility along the east side of the lot located at 20 Park Street West.

The subject lots are designated Residential in County of Wellington Official Plan and within the Primary Urban Centre of Clifford, and zoned Residential (R1B) in the Town of Minto Zoning By-law 01-86. The lots are also within the Saugeen Valley Conservation Authority regulated area and within a Wellhead Protection Area.

The surrounding land uses are residential with the exception of an industrial/commercial use across the road to the north being an Internet Mobility Service company. To the south across Park Street West is farmland/future residential as it is zoned Future Development (FD) and within the urban centre boundary.

The picture below shows the location of Mr. Steвер's Lots in Clifford.

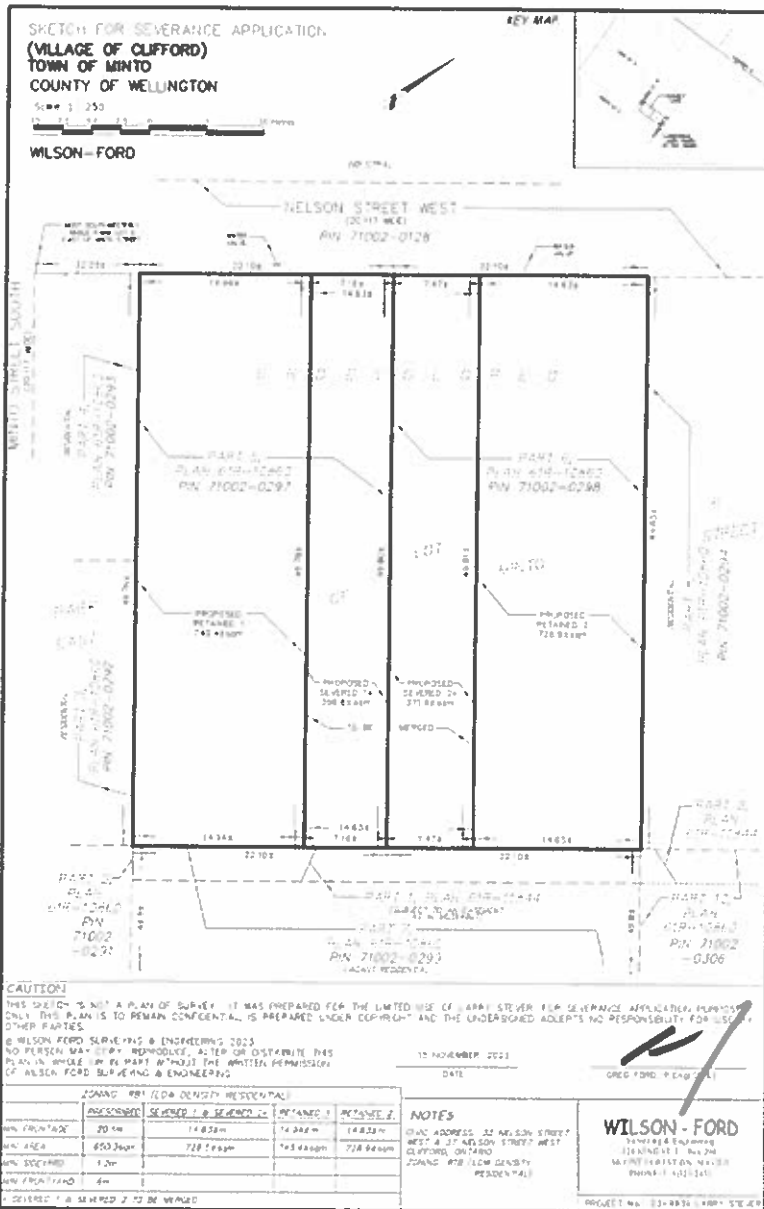


CONSENT FILE B105-23 & B106-23

The County of Wellington granted provisional consents on April 17, 2024, to permit the creation of three (3) lots from the existing two (2) lots on Nelson Street W. A new lot would be created in the middle by severing a portion from each of the existing lots that will merge together into one new lot. This would leave two retained lots. The proposed use for the severed and retained lots is residential for a single dwelling on each.

Consent File B106-23 requires the proposed severed and retained lot to be brought into conformity with the Town of Minto's Zoning By-law.

Surveyor's Sketch for Severance – original included with application.



Consent File B105-23 for New Lot consists of a portion of Part 5 with a lot addition from Part 6 to create the new middle lot.

Proposed Lot: 7.16m + 7.47m (23.5 ft) frontage, 49.8m (163.3 ft) depth, with an overall area of 356.6 sq. m (3838.4 sq. ft), vacant land. Municipal water and sewer services required for new lot.

Retained Lot 1: 14.94m (49 ft) frontage, 49.8m (163.3 ft) depth, with an overall area of 743.4 sq. m (8001.8 sq. ft), vacant land with existing municipal water and sewer.

Consent File B106-23 is for a Lot Addition being a portion of Part 6 to be added to and merge with the lands subject to the above consent for Part 5.

Proposed Lot Addition: 7.47m (24.5 ft) frontage, 49.8m (163.3 ft) depth, with an overall area of 371.9 sq. m (4003 sq. ft), vacant land. Municipal water and sewer services required for new lot.

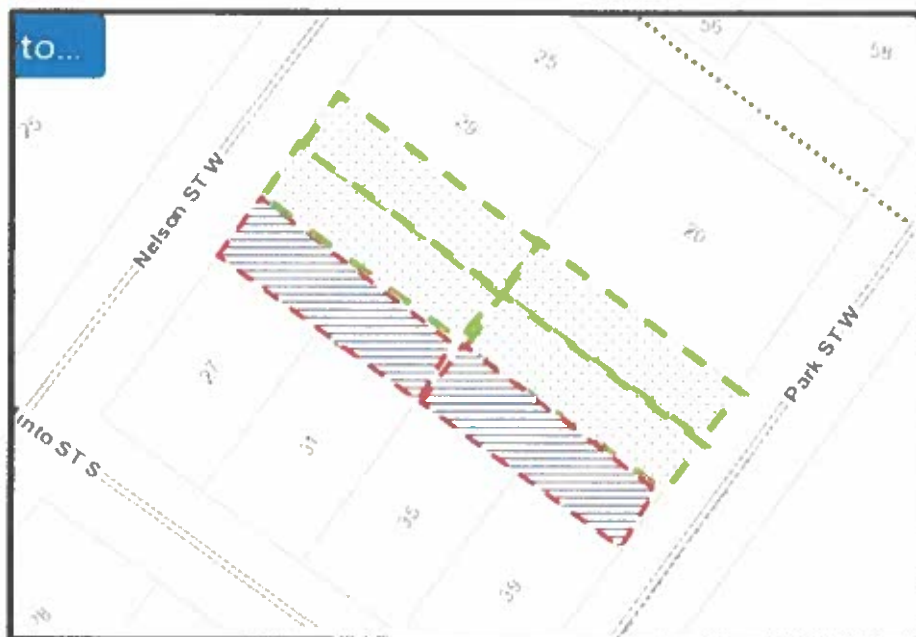
Retained Lot 2: 14.63m (47.9 ft) frontage, 49.8m (163.3 ft) depth, with an overall area of 728.9 sq. m (7845.8 sq. ft), vacant land with existing municipal water and sewer.

POTENTIAL LOTS FOR PART 7 – 26 PARK STREET WEST

We on behalf of Mr. Stever had pre-consulted with the Town and County in June 2023 about the possibility of severing the lot located at 26 Park Street West to be created into 3 lots each consisting of approximately 14.7m (48.3 ft) of frontage, with a depth of 49.8m (163.3 ft), with an overall area of 733 sq. m (7895.86 sq. ft). They would be similar in size as the ones just created by consent on Nelson Street West. We were advised that there is currently no municipal water and sewer services along Park Street West and the services would be required for any proposed consents for new residential lots. We were also advised that there are other proposed developments in the area that would require Park Street W to be serviced and there might be an opportunity to share the cost for extending the services.

Mr. Stever has decided to proceed to rezone the lot into a holding category, so when the services are available, the zoning will be in place to permit the proposed lots to comply with the zoning by-law standards. Any future development will require the holding provision to be removed after the extension of services have been completed.

Below is the drawing submitted at the pre-consultation stage illustrating the possible future 6 lots from the existing 3 lots.



ZONING BY-LAW 01-86 (TOWN OF MINTO)

The existing three lots are zoned Residential (R1B) in the Town of Minto Zoning By-law 01-86. The R1B zone requires a minimum lot area of 465.0 sq. m (5,005.4 sq. ft) and a minimum lot frontage of 15m (49.2 ft). The proposed severed new lot and retained lots more than comply with the minimum lot area. However, the proposed and retained lots do not comply with the minimum lot frontage requirement as they are just under the minimum lot frontage. Both the proposed and retain lots to be created by consent and the potential future residential lots on Park Street West have approximately 14.6m (47.9 ft).

The R2 zone, for a single detached residential dwelling requires a minimum lot frontage 12m (39.3 ft) and minimum lot area of 371.6 sq. m (3,999.8 sq. ft). The proposed lot will more than meet those minimum requirements. The R1B zone permits a single detached dwelling whereby the R2 zone permits single, semi-detached, duplex, triplex, fourplex, and townhouse. Mr. Stever proposed 3 lots on Nelson Street W is for single detached dwellings. He would also like to propose the same for the lot on Park Street W. The R2 zone minimum lot frontage for a semi-detached dwelling is 18m (59 ft) and the proposed lots on Nelson Street W do not meet that minimum to allow a semi-detached dwelling on the lot.

We had pre-consulted with the County and Town Planning staff regarding the proposed severance. We understand that the proposed new severed lot and retained lots would require either Minor Variance applications to reduce the minimum lot frontage requirements or we could apply for a rezoning to rezone the proposed lots to Residential (R2) zone.

Mr. Stever had decided to apply for a Zoning By-law Amendment application to rezone the lands to Residential (R2) zone with the lot on Park Street W being in a Holding Residential (R2(H) until such time as the municipal water and sanitary services are extended along this street.

The Zoning By-law's Schedule "A", Map 2 has the Wellhead Protection Area Overlay. The subject lots are within the Wellhead Protection Area. We had completed the "Drinking Water Source Protection Screening Form" with the consent application submission. We received comments from the County of Wellington Risk Management Official that the proposed consents would not create any risk and no Risk Management Plan was required.

Portion of the Zoning Map illustrating the current zoning on the existing lots outlined in red.



SAUGEEN VALLEY CONSERVATION AUTHORITY (SVCA)

The subject lots are within the Saugeen Valley Conservation Authority's regulated area. In viewing the SVCA's mapping it would appear that although the lots are within their regulated area, they are not within their screening area. Through the consent application process the SVCA provided comments confirming no permits are required.

PLANNING POLICY AND ANALYSIS

The following considers relevant provincial and county planning policy having application to the subject property and proposed consent applications.

Provincial Policy Statement (2020) (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Its aim is to enable appropriate forms of development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the Planning Act requires all decisions affecting planning matters "to be consistent with" the PPS and other policy statements issued under the Act.

The Village of Clifford is a Primary Urban Centre in the County of Wellington Official Plan and has full municipal water and sewage servicing. Therefore the "Settlement Areas" policies of the PPS are the relevant policies to be considered for this proposal.

Section 1.1.3.1, "*Settlement areas shall be the focus of growth and development.*"

Section 1.1.3.4, "*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*"

Section 1.4.3, "*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

b) permitting and facilitating:

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;"

Section 1.6.6.2, "*Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*"

The proposed zoning amendment to permit additional residential lots on Nelson Street W and future residential lots on Park Street W is consistent with the PPS since the policies permit and promote all types of residential intensification in *Settlement Areas* with full municipal services which exists in Clifford.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (APG)

The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan which includes Wellington County. All decisions made on a planning matter must conform to the Growth Plan unless there is a legislative or regulatory provision providing otherwise.

The “Policies for Where and How to Grow”,

Section 2.2.1, states “a) the vast majority of growth will be directed to settlement areas that:

- i. have a delineated built boundary;
- ii. have existing or planned municipal water and wastewater systems; and
- iii. can support the achievement of complete communities.”

Section 2.2.3, states Urban Growth Centres will be planned: d) to accommodate significant population and employment growth.

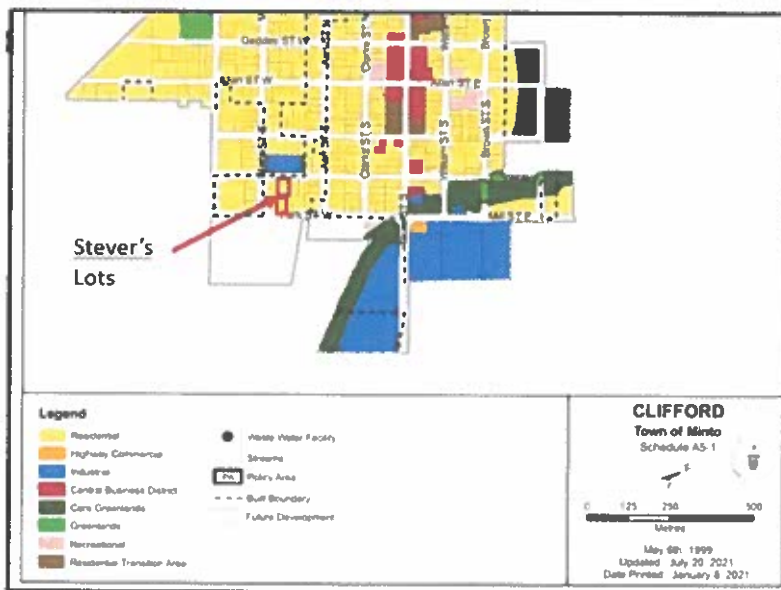
The proposed zoning by-law amendment to permit the creation of additional residential lots is consistent with the APG since the policies direct growth to Urban Centres that have existing or planned municipal water and wastewater systems which exists in Clifford.

County of Wellington Official Plan (Last Updated September 2023) (COP)

The policies of the County of Wellington Official Plan (COP) are intended to give direction to the physical development of the County, its local municipalities and to the long-term protection of County resources. All land use planning applications must conform to the County’s Official Plan.

The Town of Minto is one of the local municipalities in the County and Clifford is shown on Schedule B5 – Land Use for Minto as a Primary Urban Centre. The COP Schedule A5-1 for Clifford designates the subject lots as Residential.

Below is a portion of Schedule A5-1 showing the lots designation as “Residential”.



Section 2.2 states it is a County Council objective to direct growth to urban areas and to those with municipal sewer and water services.

Section 4.4.3, Residential intensification is encouraged in primary urban centres. The strategic approach to residential intensification intends to retain small town character and respecting the character of the area providing that adequate infrastructure is available.

Section 7.4, Primary Urban Centres, 7.4.1, Permitted Uses states *“primary urban centres are expected to provide a full range of land use opportunities. Residential uses of various types and densities, commercial, industrial and institutional uses as well as parks and open spaces uses will be permitted where compatible and where services area available.”*

Section 8.3, Residential, 8.3.3, Permitted Uses states *“the predominant use of land in those areas designated RESIDENTIAL on Schedule B of the Plan shall be residential development.”*

10.6.1, Primary Urban Centres states *“new lots may be created in primary urban centres provided that the land will be appropriately zoned.”*

13.5 Holding By-laws states *“where the use of land for a particular purpose has been established but details related to design, servicing, phasing, environmental considerations and other matters have not been completed resolved, a local council may use holding provisions in accordance with the Planning Act. The symbol “H” or “h” used in association with a zone symbol will indicate that hold provisions are in effect.*

In order to remove a holding provisions from a parcel of land, the following conditions must be satisfied, where appropriate:

b) indication from the municipal engineer that water and sewer services area available;”

The proposed zoning by-law amendment conforms to the County of Wellington Official Plan since the lots are within a Primary Urban Centre, that being Clifford, where full municipal services are available. The proposed new lot will be in keeping with the character of the other residential lots in the area and is proposed for a future single dwelling use. The lot on Park Street West will be in a holding category, which is permitted in the County Plan, until the municipal water and sanitary services are installed along the street. Mr. Stever is required to rezone the Nelson Street W lots to fulfill the condition of his consents.

CONCLUSION

The proposed rezoning of the subject lands will permit the three (3) severed and retained residential lots located at 33 and 37 Nelson Street West in Clifford; is required to satisfy the condition on Consent File B106-23; and will allow development that is encouraged by provincial policies and plan, and the Wellington County Official Plan as the proposed development makes good use of the land and services.

The proposed zoning of the subject lands on Park Street West in Clifford into the holding category will permit the potential for future residential lots once arrangements are made for the extension of municipal water and sanitary services in the street. As mentioned above this proposed development is encouraged by provincial policies and plan, and the Wellington County Official Plan as the proposed future development will make good use of the land and services, and the holding provisions are permitted for such developments.

The proposed new lots will be of a similar size to those in the area with at least 14.63 metres (48 feet) of frontage and lot area of over 720 sq. metres (7750 sq. feet) and will be in keeping with the character of the other residential lots in the neighbourhood.

It is my professional opinion that the proposed rezonings are appropriate; are in the best interest of the public to make efficient use of the lands and services; and represent good planning.

Please let me know if you have any questions or require any additional information.

Respectfully,



Marie Leroux, RPP, Land Use Planner
551 Simcoe Street, Collingwood ON L9Y 1K2
705-718-4313 cell