



TOWN OF MINTO

MEETING DATE: March 4th, 2025

REPORT TO: Committee of Adjustment

SERVICE AREA: Building Department

SUBJECT: PLN 2025-001 – Minor Variance: MV 2025-01 – JEM Freight Inc.
310 York Street, Palmerston

RECOMMENDATION

THAT the Committee of Adjustment receives report PLN 2025-001 legally described as PT LT 8, Herman and Bolton Survey 18-11 Wallace as in R0741761, Minto, and is municipally known as 310 York Street, in the former Town of Palmerston, Town of Minto, for information and considers approving the application.

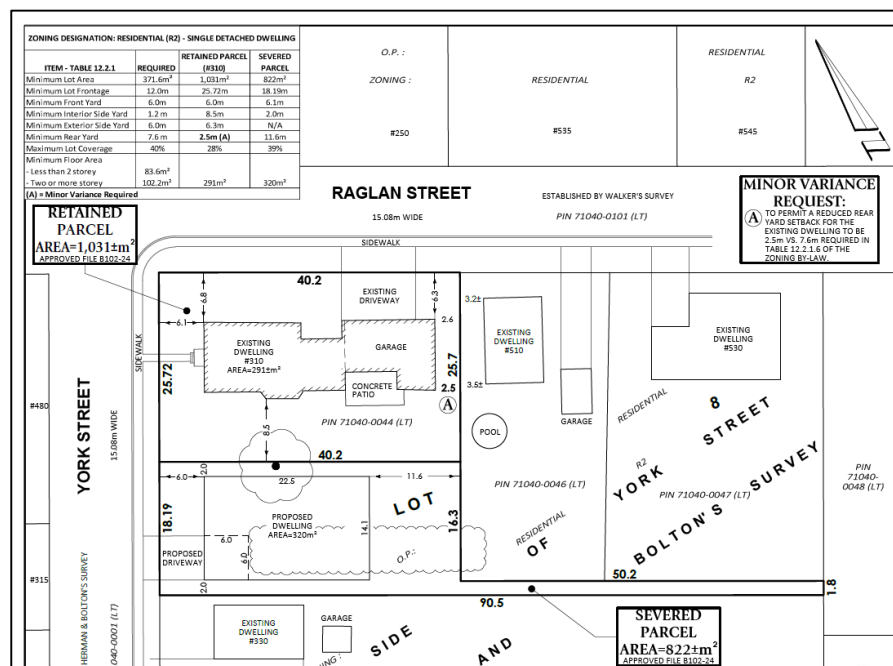
BACKGROUND

The owner of the subject property has applied for a severance application under application number B102-24, proposing to sever a vacant 18.19m (59.67ft) wide residential lot, with an area of approximately 822m² (8848 sq. ft.). The retained lot has a frontage of 25.72m (84.38 ft) and an area of approximately 1033.94m² (11,129 sq. ft.). The zoning of the subject property is R2 – Medium Density

Residential, which permits residential development types varying from a single family detached dwelling to a 4-unit Townhouse building. The proposed severed parcel is currently not serviced to the property line, but water, sanitary and storm services are available within the Road Allowance and will be sized for the development type when it is known.

Purpose & Effect

The owner of the subject property is proposing to sever a portion of the property to permit a new residential development.



The Town of Minto's Zoning By-law defines the front property line being the shortest frontage along a street. With the current lot dimensions (prior to the severance being completed) being 40.2m x 43.91m, the current frontage, by definition, is along Raglan St. However, with the proposed severance, the lot dimensions of the existing house changes to 25.72m x 40.2m, which ultimately changes the zoning frontage of the property to York St.

Although the functionality of the property is not going to change, with the severance application, it effectively changes the previous interior side yard into a rear yard, causing the rear yard setback deficiency of 2.5m (8.2') opposed to the 7.6m (24.9') that is required, triggering this Minor Variance application.

It should be noted that the applicant is proposing to retain 8.6m of the functional rear yard (not the zoning defined rear yard) with the Retained Lot, so as mentioned, the functionality of the property after the severance application has been finalized will remain the same.

COMMENTS

Town Staff, Wellington County's Planning Department, property owners within 60m (200 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.

Town of Minto Staff

Town staff are satisfied that the proposed relief meets the four tests of the Minor Variance and recommend that the relief be approved.

As mentioned in the comments and Conditions with B102/24, staff would like to mention again that all servicing costs are solely the responsibility of the owner, and that a previous inground pool was previously located on the severed lot, and as such, the owner/developer will have to take disturbed soils into consideration for their foundation design.

Minor Variance Four Tests

When the Committee of Adjustment 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 the rear yard setback, due to a change in the Zoning frontage of the subject property.

Is it desirable for the appropriate development or use of the land, building, or structure?	Yes, the functionality of the property will remain unaltered.
Is it in keeping with the general intent and purpose of the Zoning By-law?	Yes, the proposed severed and retained lots complies with the Zoning By-Law, but due to the existing location of the house and change in what is considered the lot frontage, the intent of the Zoning By-law is maintained.
Is it in keeping with the general intent and purpose of the Official Plan?	Yes, the proposed zoning relief is permitted within the current Official Plan policies of the property.

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

N/A

PREPARED BY: Terry Kuipers, Director of Building and Planning Services

RECOMMENDED BY: Gregg Furtney, Chief Administrative Officer