



Town of Minto

DATE: November 30th 2016
TO: Mayor Bridge and Members of Council
FROM: Stacey Pennington, Building Inspector
RE: ZBA 2016-09 Isaac Martin – 6433 10th Line

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.

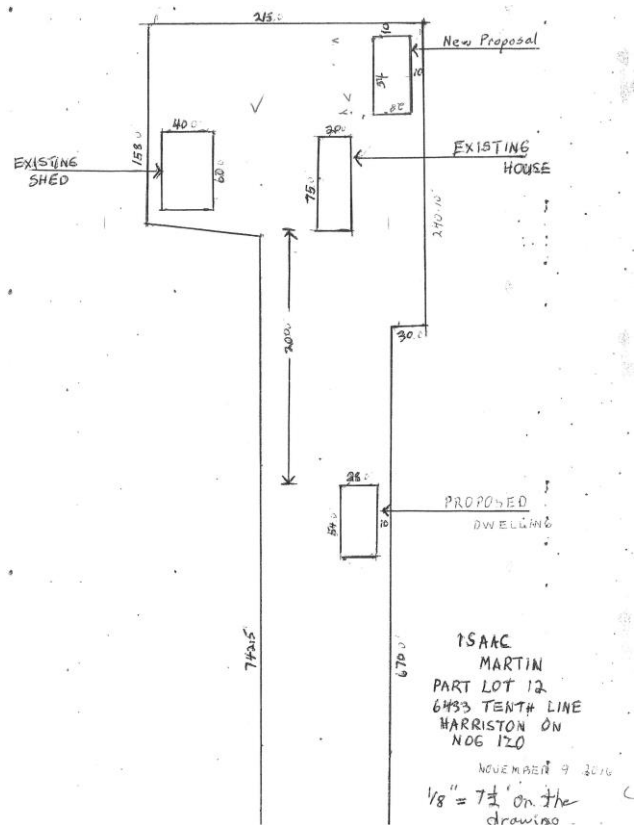
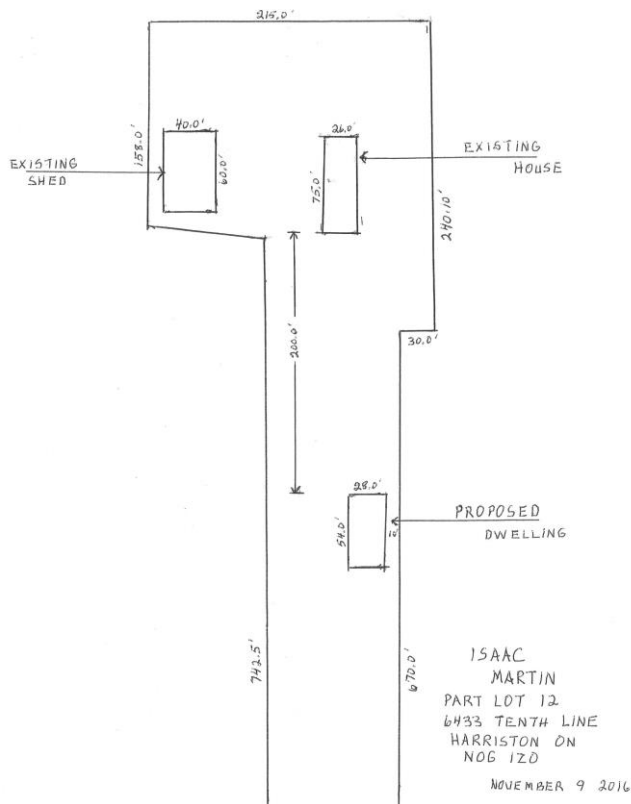
BACKGROUND

The subject land fronts on the property is 1.04 ha (2.58 acres) in size and is shown on the air photo next page. The property contains a residential dwelling as well as a 2,400 sq. ft. bicycle repair shop. The lands are zoned Agriculture as per the Town of Minto Zoning By-law 01-86 as amended. The zoning amendment is required for the applicant to construct a Semi-Detached Dwelling on the subject property.

The applicant has applied rezone the subject lands to permit either: a permanent accessory dwelling, or a temporary Garden Suite for a period of up to 20 years. Zoning relief may also be required for: the distance between the primary dwelling and the accessory dwelling, exceeding the maximum lot coverage for accessory buildings, recognizing the bicycle repair shop and other relief where considered appropriate. The parcel is currently zoned agricultural.

Isaac and Anna Martin currently live in the existing home on the property. They wish to have a second dwelling on the property for Anna to live in. They would prefer to have this approved on a permanent basis. If council does not support the permanent secondary dwelling, they would like consideration for a Garden Suite for a period of 20 years. The proposal includes the construction of a modular home 28' x 54' (1512 sq. ft.). Please note: the request is not for a mobile home.

The initial submission as per the sketch below on the left was to have the dwelling located 200' in front of the existing dwelling. As the Martins have not yet finished the planning stages, they were unsure of the size requirements for the proposed septic system. The size of the septic is based on the square footage of the proposed dwelling, the number of bedrooms, the number of plumbing fixtures in the dwelling and the soil type on the property. The size of the bed could vary considerably based on the final numbers. The location at the front of the property was to allow for sufficient land area to construct the appropriate size septic system.



On November 24th 2016, the Town received formal written comments from a neighbour requesting consideration be given to locating the secondary dwelling at the rear of the existing house. Alternatively the comments requested that, if the secondary dwelling is located at the front of the existing dwelling, “stipulation be attached prior to the rezoning approval that a berm, and/or a living buffer of trees and/or shrubs be planted in the vicinity...” of the secondary dwelling to create a visual screening. The comments also requested that the bylaw be temporary in nature (up to 20 years), to allow council to review the condition of the home at that time, in relation to up keep and condition of the building.

On November 28th 2016, a new site plan was submitted based on these comments (above right). The applicant is in favor of relocating the proposed new dwelling to the rear of the existing dwelling as shown below. The new site plan would require relief from a rear yard setback; where Section 8.5.2.6 of the Town of Minto Zoning By-law 01-86 requires a minimum rear yard of 7.6m (24.9’), the proposed location allows for a rear yard setback of 3.05m (10.0’). The remaining concern is the location of the existing septic system, and the size of the new septic system required.

In addition, an existing bicycle repair shop is situated in an 2,400 sq. ft. accessory building on the parcel. A home industry use is permitted on an agricultural lot under the reduced lot provisions. In this case, the repair shop is located closer to the lot line than permitted under the provisions in the by-law. Section 6.14 (g) requires a home industry to be sited at least 74.8 ft. from a lot line. Given the location away from neighbouring residences, as well as the agricultural field to the rear, staff support this variance, as there should be little potential for creating a nuisance.

COMMENTS

Building

Currently the Town of Minto Zoning By-law permits secondary dwelling units on an agriculturally zoned property with a minimum lot size of 86 acres. Prior to a recent severance in 2013, a

secondary dwelling would have been permitted in the same location. Staff are in support of the application for a secondary dwelling as presented in either proposal as outlined below:

The approval of a temporary garden suite for a period of twenty years, with the location of the dwelling located within 200' of the existing dwelling, with visual screening provided to minimize the effect on the surrounding uses as per the original proposal.

Or

The approval of a temporary garden suite for a period of twenty years, with the location of the dwelling located at the rear of the property with a reduce rear yard setback as outlined in the modified proposal.

Public Works and Clerks have no further concerns with the application.

Staff have discussed deferral of the passing of the by-law with the applicant to allow time to verify sufficient details in relation to the septic system, and ensure both locations can accommodate the new system in relation to size and setbacks required by the Ontario Building Code.

RECOMMENDATION

THAT Council receives the Building Assistants report on the proposed rezoning for Isaac Martin, 6433 10th Line, Town of Minto for information and considers passing a by-law at a future meeting.

ATTACHMENTS

Planners Comments, Mark Van Patter, Manager of Planning and Environment, County of Wellington

Submitted Comments, Darrell and Jane Buehler

Stacey Pennington,
Building Inspector