

## **Staff Report PL2022-044**

**Title of Report:** PL2022-044-A4-221 Verbeek

**Department:** Planning Department

**Date:** June 15, 2022

**Application:** Minor Variance Application A4-22 – Verbeek

**Location:** Plan 480 Part Mill Block 1 RP16R10863 Part 2, Geographic Village of Dundalk) in the Township of Southgate

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report 2022-044 for information; and

**That** the Committee of Adjustment approve the minor variance to reduce the frontage requirements for a semi detached lot from 10m to 7m.

**Subject Property:**

Legally known as Plan 480 Pt Mill BLK 1 RP16R10863 Part 2 (Geographic Village of Dundalk) in the Township of Southgate (see the key map below). Also described as 250 Doyle Street



## **Application Brief**

The subject lands were zoned for a semi detached dwelling to be constructed on and rented. The initial plan for this lot never contemplated creating a new lot for each of the two halves of the semi detached structure. The applicants have constructed the semi detached dwelling but now wish to create individual lots for each half of the semi detached unit.

The Variance specifically is to vary the provisions of section 10.3(a) allowing for a reduction of the 10m frontage requirement for a semi detached structure to 7m to allow for the creation of a semi detached lot. All other provisions of the bylaw shall apply.

Applications for a variance to the Zoning By-law must be consistent with the Provincial Policy Statement and satisfy Section 45 (1) of the Planning Act.

## **Provincial Policy Statement (PPS)**

The PPS provides guidance for comprehensive planning decisions at the provincial, county and local levels but does not address specific development provisions at the local level. The intent of the PPS as it applies to the Township of Southgate is to encourage growth and development that is suitable to the area. The proposed minor variance is to permit a reduction of the required frontage for a semi detached lot from 10m to 7m.

The proposed lot creation will not change the fact that there is a semi detached structure there, only the ownership arrangement of the lands. The proposed variance is consistent with the Provincial Policy Statement.

## **Minor Variance**

For a successful variance, the following tests of Section 45(1) of the Planning Act must all be satisfied:

1. The variance must be minor in nature.

The reduction of the frontage requirement from 10m to 7m is a relatively minor issue as it will not significantly change the character of the street. Like wise the creation of a lot line will not change what is visible from the street.

In the opinion of staff the proposal is minor in nature and meets this test.

2. It must be desirable for the appropriate development or use of the land, building or structure.

The creation of a lot for a semi detached residential structure is appropriate and desirable use of the land. With some conditions such as the relocation of the hydro pole the proposal is appropriate and desirable for the area. The proposal meets this test.

3. It must maintain the general intent and purpose of the Official Plan.

The subject lands are designated 'as Neighbourhood area' within the Township Official plan which permits residential development such as this.

The Official Plan speaks to development such as lot creation being on full services and is regarded as infill development. Infill development is considered the creation of up to 4 lots.

The proposal is consistent with the policies of the Official Plan and meets this test.

4. It must maintain the general intent and purpose of the zoning by-law.

The subject lands are zoned 'R3' within the Township of Southgate Zoning By-law No. 19-2002, as amended. The R3 zone permits a semi detached dwelling unit. The structure currently complies with the bylaw if the intent is to rent the units. However if the units are to be sold as free hold units the bylaw requires a minimum lot frontage of 10m for each unit. The proposed consent would not provide that amount of frontage. The amount of frontage proposed is 8m and 7m of reach residential unit of the semi detached structure.

The intent of the 10m road frontage is to provide sufficient room for an entrance that also allows for a side yard setback of at least 2m. A drive way and side yard setback can still be provided in accordance with the by-law. The lots are both sufficiently large and deep to provide outside amenity areas.

Based on the above considerations, it is staffs opinion that the reduction of the 10m frontage requirement to 7m still meets the intent of the by-law of being able to provide sufficient lot width to accommodate the required side yard setback and still provide a driveway and sufficient amenity space for each residential lot.

A public hearing is scheduled for June 22, 2022 at 9am. to hear comments from the public. Comments from Public and Agencies received to date include the following:

Bell Canada has no concerns or comments at this time.

The County of Grey has no concerns provided positive comments are received from the Conservation Authority.

Enbridge Gas No Concerns with the subject application

The GRCA has no concerns

Hydro One has no concerns

Historic Saugeen Metis have no concern with this application.

Public works indicate: A curb cut is required. Storm water to be done as per submitted drainage plan. The Hydro pole is to be relocated from middle of driveways

All site works at the owner's expense. Road & sidewalk damages from contractors' excavator from servicing 2021 will be repaired as noted last year at the owners expense.

No Comments have been received from members of the public in relation to this particular development.

### **Summary**

The comments received to date support the proposal and the application passes the four tests required by the Planning Act. Provided that there are no negative comments received from members of the public it is recommended that the minor variance application be approved.

Respectfully submitted,

### **Original Signed By**

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Clinton Stredwick, BES MCIP RPP  
Township Planner

### **ATTACHMENTS:**

1. A4-22 – Site Sketch