



PLANNING & DEVELOPMENT

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To: Town of Goderich, Members of Goderich Committee of Adjustment
Jason Dykstra, Secretary of the Committee of Adjustment
Andrea Fisher, Clerk / Planning Coordinator
From: Victor Kloeze, Senior Planner
Shae Stoll, Student Planner
Date: July 27, 2022
Re: Consent File C04-2022
Address: 232 Britannia Road West, legally known as Lot 391 & PT Lot 392, Plan 457, in the
Town of Goderich
Applicant/ Owner: Ken McGee

This report is submitted to the Committee of Adjustment for the public hearing on September 8, 2022.

RECOMMENDATION

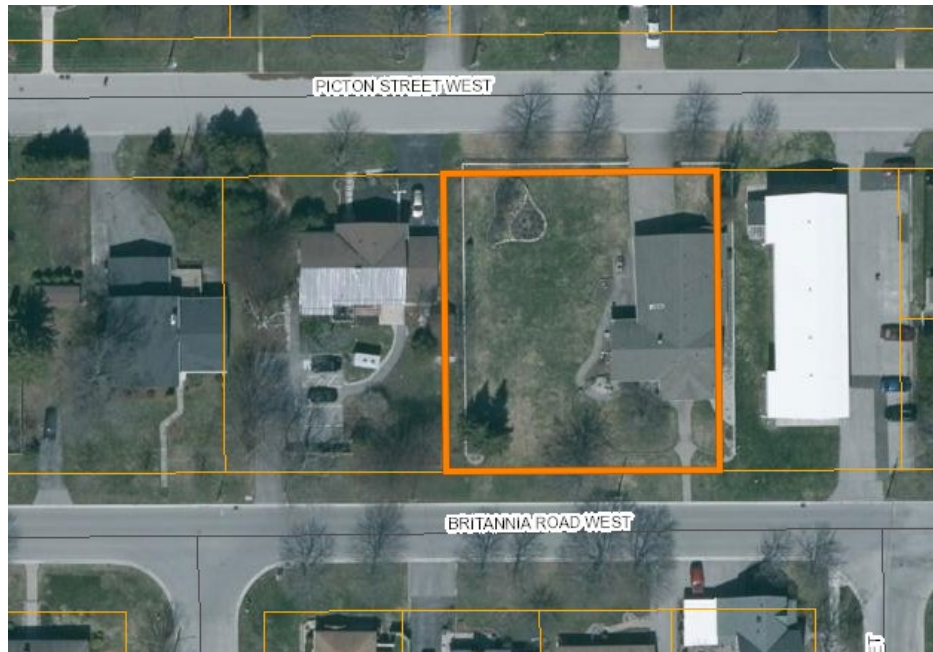
It is recommended that the application for consent be **approved** subject to the following conditions:

- (1) A survey be submitted to the Town showing the lot lines of the severed parcel, easements or right-of-ways, and the location of any buildings or structures thereon. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained before the deed is stamped;
- (2) All other municipal requirements be met to the satisfaction of the Town including property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise;
- (3) That the Town requirement for a \$500 cash-in-lieu of park dedication be provided;
- (4) Conditions imposed must be met within two years of the date of notice decision, as required by Section 53(41) of Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for three years from the date of decision.

PURPOSE

The subject lands are designated Residential in the Town's Official Plan, and are zoned Low Density Residential (R2) in the Town's Zoning By-law. The proposed consent application would have the effect of creating two separate lots on the subject property. There is currently an existing residential dwelling with a garage on the proposed retained lot. The

Figure 1. Aerial photo of subject lands (outlined in orange)



Survey map of Lot 392, showing boundaries, dimensions, and internal structures. The map includes a yellow rectangle highlighting a proposed fence line. Handwritten notes and a yellow arrow point to this area, stating "- Yellow proposed second lot".

Key features and dimensions:

- Lot 392:** The main lot being surveyed.
- Adjacent Lots:** Lot 391 to the west, Lot 392 to the north, and Lot 392 to the south.
- Internal Structures:**
 - brick garage
 - 1 storey brick house
- Dimensions:**
 - North boundary: 107.7'
 - West boundary: 135.84'
 - East boundary: 135.88'
 - South boundary: 107.7'
 - Internal dimensions for the garage and house are also provided.
- Angles:**
 - North-west angle lot 392
 - South-west angle lot 391
- Proposed Fence:** A yellow rectangle highlights a proposed fence line, with a handwritten note: "- Yellow proposed second lot".

REVIEW

The proposed severed lot is approximately 788 square metres (0.19 acres) with 18.29 metres (60 feet) of frontage. The proposed retained lot is approximately 927 square metres (0.23 acres) with 21.44 metres (~70 feet) of frontage.

When considering consents, applications must be consistent with the Provincial Policy Statement (PPS) 2020, conform to the County and Town Official Plans, and comply with the Town's Zoning By-Law.

Both the PPS and County Official Plan direct settlement areas, such as the Town of Goderich, to be the focus of growth and development, and encourage efficient development patterns for continuing intensification. The severance of the property into two lots for the purposes of conveyance represents an efficient use of land, while maintaining compatibility with the surrounding land use.

The Town's Official Plan, Section 10, provides consent policies that require the following for the division of land into smaller parcels through the consent process:

- i. No undue extension of any major service is required;
- ii. All proposed parcels abut an existing, public road of construction acceptable to the Town;
- iii. The Consent does not result in extending built-up areas unduly, but permits infilling of existing built-up areas;
- iv. The parcel size is appropriate for the proposed use and conforms with the provisions of the Zoning By-Law, unless the by-law is duly amended or a variance granted. Where required, the amendment or variance will be in force prior to the finalization of the severance;
- v. Development shall not result in traffic hazards from limited site lines or curves, grades, or nearness to intersections;
- vi. Consents will not hinder or restrict the interior development of a block of land.

The proposed lots (as a result of the consent) will have access to municipal servicing and have frontage along an existing public road, Britannia Road West. The consent will not result in the extension of the built-up area, will not result in any traffic hazards, and will not hinder or restrict the interior development of the parcels.

Section 7.2.1.1 (Single Detached Dwelling – Lot Frontage) of the Town's Zoning By-law requires a minimum frontage of 15.5 metres for interior lots. Both of the lots created from this consent will meet this requirement with a frontage for the severed and retained parcels of 18.29 metres and 21.44 metres, respectively.

The division of the property into two lots for the purposes of building additional housing is consistent with the direction to encourage intensification and infill development, and is compatible with the surrounding area. The lots are of similar size to some of the neighbouring lots, existing nearby examples on Britannia Road West and Picton Street West

show that smaller lots with consistent frontages to the surrounding lots can be compatible with the surrounding community and allows for additional infill density.

It is recommended that consent application GOD C04-22 be approved, as it meets the requirements of the Planning Act, is consistent with the PPS, conforms to the County and Town Official Plans, and complies with the Town Zoning By-law.

COMMENTS RECEIVED

At the time of report submission, no comments or concerns were received by members of the public.

No concerns or objections were raised by staff.

Additional items may be raised before or during the public hearing.

OTHERS CONSULTED

- Andrea Fisher, Clerk / Planning Coordinator
- Jason Dykstra, Chief Building Official and Secretary of the Committee of Adjustment

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Kloeze", is written over a horizontal line.

Victor Kloeze, Planner, MCIP RPP