



Committee of Adjustment

**Tuesday, July 16, 2024
10:00 AM**

- Present Tony Decoo, Chair
 Matthew Hoy, Member
 Donny Rivers, Member
- Staff Present Jason Dykstra, Building Services Manager/Chief Building Official
 Victor Kloeze, Huron County Senior Planner
 Andrea Rowntree, Secretary and Administrative Assistant to the
 Chief Administrative Officer and Clerk/Planning Coordinator
- Others Present Marissa Nesbitt, Huron County Student Planner
 Margaret Mclsaac

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- 1. CALL TO ORDER**
 - 2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
 - 3. APPROVAL OF AGENDA AND ADOPTION OF MINUTES**

3.1 Approval of the Agenda

Moved By: Member Hoy
Seconded By: Member Rivers

That the Town of Goderich Committee of Adjustment hereby accepts the July 16, 2024, Agenda, as presented.

CARRIED

3.2 Adoption of the Minutes

Moved By: Member Rivers
Seconded By: Member Hoy

That the Town of Goderich Committee of Adjustment hereby adopts the May 16, 2024, Minutes, as printed.

CARRIED

4. BUSINESS

4.1 Victor Kloeze, Senior Planner re: Consent Application GOD C02-24 - 72-76 Hamilton Street

Applicant: Kevin Talbot

Owner: 100117400 Ontario Ltd. (Kevin Talbot)

Request: The purpose of the consent application is to create a new lot. The existing parcel would be divided into two separately conveyable parcels. The south severed parcel and the retained parcel front onto Hamilton Street and are shown on the attached sketch (Figure 1). The severed and the retained parcel are both designated Core Commercial in the Town of Goderich Official Plan. The subject lands are zoned as Mixed-Use Core Area Commercial (C5) in the Town's Zoning By-law.

Moved By: Member Rivers

Seconded By: Member Hoy

That the Committee of Adjustment approve/deny Consent application GOD C02-2024, subject to the following conditions:

1. All municipal requirements be met to the satisfaction of the Town of Goderich including servicing connections if required, cash-in-lieu of park dedication if required, property maintenance, compliance with zoning by-law provisions for structures, compliance with Section 65 of the Drainage Act, and any other requirements, financial or otherwise.
2. Provide to the satisfaction of the Town of Goderich:
 - a. a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b. a reference plan based on the approved survey;
3. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Town of Goderich.
4. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the 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 two years, the application is valid for three years from the date of the notice of decision.

CARRIED

4.2 Victor Kloeze, Senior Planner re: Consent Application GOD C03-2024 - 27 Nelson Street East

Applicant: Heather Blackman

Owner: Heather Blackman and Mark Mccutcheon

Request: The purpose of the consent application is to perform a lot addition. The applicants propose to sever an approximately 2 metre wide and 20 metre long strip along the east property line of the abutting 26 Bruce Street East, which would be merged onto the 26 Bruce Street East parcel. The owner of 26 Bruce Street East intends to construct an addition on the east side of their home, and requires the severed lands be merged for this purpose. The subject property contains an existing residence and garage; the severed lands are vacant. The subject lands are zoned

Medium Density Residential (R2) in the Town's Zoning By-law, and designated Residential in the Town of Goderich Official Plan.

Moved By: Member Rivers

Seconded By: Member Hoy

That the Committee of Adjustment approve Consent application GOD C03-24, subject to the following conditions:

1. All municipal requirements be met to the satisfaction of the Town of Goderich including servicing connections if required, cash-in-lieu of park dedication if required, property maintenance, compliance with zoning by-law provisions for structures, compliance with Section 65 of the Drainage Act, and any other requirements, financial or otherwise.
2. Provide to the satisfaction of the Town of Goderich:
 - a. a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b. a reference plan based on the approved survey;
3. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Town of Goderich.
4. The severed land merge on title with the abutting property to the west upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
5. A firm undertaking is to be provided from the solicitor acting for the parties indicating that the severed land and the abutting property to the west will be consolidated into one PIN under the Land Titles System. Note: In the case where a title search has been completed and it has been determined that the severed/retained lands are registered in two different systems (e.g. the Registry or Land Titles system) and a consolidation is not possible then notice will be required to be registered in both systems indicating that the parcels have merged with one another and is considered to be one parcel with respect to Section 50 (3) or (5) of the Planning Act, RSO 1990, CP 13 as amended.
6. Section 50(3) or (5) (whichever applies) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the severed land.
7. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the 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 two years, the application is valid for three years from the date of the notice of decision.

CARRIED

- 4.3 Victor Kloeze, Senior Planner re: Consent Application GOD C04-2024 - 181 Oxford Street

Applicant: Ken McPhee

Owner: Ken McPhee

The purpose of the consent application is to create a lot. The applicant proposes to divide a residential lot into two separately conveyable lots. The proposed severed lot is vacant and the proposed retained lot contains a detached dwelling and a shed. The subject lands are designated Residential in the Town's Official Plan; the proposed severed parcel is zoned Medium Density Residential – Special Provisions (R2-17) and the proposed retained parcel is zoned Medium Density Residential – Special Provisions (R2-18) in the Town's Zoning By-law. The existing special zones allow for reduced lot area and setbacks for the severed and retained lots proposed severed and retained lots.

This is a re-application for a previously approved consent (GOD C12-21); the applicant did not fulfill all the conditions before the consent lapsed. The recommended conditions have been modified to address the conditions that were already met.

Moved By: Member Rivers

Seconded By: Member Hoy

That the Committee of Adjustment approve Consent application GOD C04-24, subject to the following conditions:

1. All municipal requirements be met to the satisfaction of the Town of Goderich including servicing connections if required, cash-in-lieu of park dedication if required, property maintenance, compliance with zoning by-law provisions for structures, compliance with Section 65 of the Drainage Act, and any other requirements, financial or otherwise.
2. Provide to the satisfaction of the Town of Goderich:
 - a. a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b. a reference plan based on the approved survey;
3. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Town of Goderich.
4. That two new native trees be planted on the subject lands outside of the future building envelope, with at least one being on the severed lot, to the satisfaction of the Town of Goderich.
5. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the 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 two years, the application is valid for three years from the date of the notice of decision.

CARRIED

5. UNFINISHED BUSINESS

6. ADJOURNMENT

Moved By: Member Rivers
Seconded By: Member Hoy

That the Town of Goderich Committee of Adjustment does now adjourn at 10:20 AM.

CARRIED

CHAIR, Tony Decco

SECRETARY, Jason Dykstra