

## **Committee of Adjustment Wednesday, June 7, 2017**

A meeting of the St. Marys Committee of Adjustment was held on Wednesday, June 7, 2017 at 6:30pm in the Board Room, Municipal Operations Centre, 408 James Street South, St. Marys, Ontario, to discuss the following:

1. Call to Order
2. Disclosure of Pecuniary Interest
3. Approval of Minutes dated May 17, 2017
4. Conditions for Consent to Sever: B03-2016 affecting Lot 22, Registered Plan 44M-48, 310 Tracy Street, St. Marys, from Meadowridge Properties Ltd.
5. Applications for Consent to Sever: B04-2017; B05-2017; B06-2017 affecting Part Lot 17, Concession 19, 825 and 895 Queen Street East, St. Marys for Margaret McMillan Baird and Bairds of Strathaven Inc.
6. Next Meeting
7. Adjournment

### **Present:**

- Chairman Steve Cousins
- Member William J. (Bill) Galloway
- Member Dr. J. H. (Jim) Loucks
- Mark Stone, Planner
- Susan Luckhardt, Secretary-Treasurer

### **Regrets:**

- Member Clive Slade
- Member Steve Ische
- Grant Brouwer, Director of Building and Development

### **Call to Order:**

Chairman Steve Cousins called the meeting to order at 6:30 pm.

### **Disclosure of Pecuniary Interest:**

None.

### **Approval of Minutes dated May 17, 2017**

Approval of the Minutes dated May 17, 2017 was deferred until the next regular meeting due to a conflict of pecuniary interest with an item in the Minutes as disclosed by Member Dr. Jim Loucks.

## **Conditions for Consent to Sever: B03-2016 affecting Lot 22, Registered Plan 44M-48, 310 Tracy Street, St. Marys, from Meadowridge Properties Ltd.**

Mark Stone provided an overview of the conditions of severance for 310 Tracy Street with respect to consolidation of the lands under one PIN and the resulting issues for registration of the lands under one PIN. Condition # 8 on the Notice of Decision dated January 20, 2017 requires the lands to be consolidated under Land Titles under one PIN.

Staff recommended that the agenda item be deferred pending the ongoing discussions in addressing the matter.

It was the consensus of Members that the item be deferred.

Chairman Steve Cousins declared this order of business to be closed.

## **Public Hearing B04-2017; B05-2017; B06-2017**

**Applications for Consent to Sever: B04-2017; B05-2017 and B06-2017 affecting Part Lot 17, Concession 19, 825 and 895 Queen Street East, St. Marys for Margaret McMillan Baird and Bairds of Strathaven Inc.**

Dave Hanly and Janet Baird Jackson, agents for the applications were present for the Public Hearing.

Mark Stone spoke to the correspondence received regarding the applications.

Town Finance Department: No issues.

Bell Canada: No concerns or objections.

Upper Thames River Conservation Authority: No objections.

Town Engineering and Public Works Department:

- As a condition of approval, the two (2) existing dwellings are to be individually connected to the municipal water distribution system.
- Existing water supply wells currently servicing the dwellings are to be decommissioned in accordance with Ontario Regulation 903 once the dwelling units are connected to the municipal water distribution system.
- As per section 5 of the Town's Official Plan, roads are classified based on their function in an effort to keep the movement of traffic safe for pedestrians and motorists. Arterial Roads are the major routes in the road network designed to carry high volumes of traffic from one area of Town to another. Arterial Road right of ways are 30m wide. Queen Street East is classified as an Arterial Road, currently with a width of 27m and as per section 5.3.7 of the Official Plan, the Town will require 3.0m from the applicant property as future road widening.

This concluded correspondence received.

Dave Hanly proceeded with his presentation. The subject properties are located at the east end of the municipality, northwest of the intersection of Queen Street East and Road 120

(the municipal boundary). The two subject properties are abutting, are irregularly shaped and are further described as:

- 1) L-shaped lot (2.07 ha) with 121.9m of frontage along Queen Street East (comprised of Parts 1, 2, 3 and 4 on the Sketch accompanying the application). This parcel is the site of two single-detached dwellings; the westerly occupied by Margaret McMillan Baird and the easterly occupied by Don and Donna Baird.
- 2) Irregular shaped lot (3.29 ha) with 185.3m of frontage along Road 120 (comprised of Parts 5 and 6 on the Sketch accompanying the application). These lands were formerly part of the Mink ranch lands owned by the Baird family.

Consent to Sever Application B04-2017 proposes to sever an area of the L-shaped property located between the two existing single-detached dwelling residential uses (Part 1 on the Sketch) and add it to the adjacent irregular shaped property located to the north (Parts 5 and 6 on the Sketch). The area to be severed fronts onto Queen Street East, has a width of 20.0m and an area of 1,219.2m<sup>2</sup>. This will result in two remnant parcels from the L-shaped lot: one to the east (Part 2 on the Sketch) consisting of most of the lot for the easterly single detached dwelling use; and one to the west (Parts 3 and 4 on the Sketch) consisting of the lot for the westerly single detached dwelling and the vacant agricultural use area north of the same.

Consent to Sever Application B05-2016 proposes to sever that area of the property (Part 4 on the Sketch) which is located to the north of the westerly single-detached dwelling residential use and add it to the adjacent irregular shaped property to the east (Parts 5 and 6 on the Sketch). The lands to be severed measure approximately 50.9m X 252.8m and have an area of 12,867.6m<sup>2</sup>. The single-detached dwelling use will continue on the remnant parcel (Part 3 on the Sketch).

Consent to Sever Application B06-2017 proposes to sever a small area (Part 5 on the Sketch) from the adjacent lands to the rear and north of the easterly single-detached dwelling property and add it to the easterly single-detached dwelling use lot (Part 2 on the Sketch). The area to be severed has a depth of approximately 8.12m and an area of 414.1m<sup>2</sup>.

Dave Hanly referenced for members the Sketch showing the proposed lot fabric as a result of the three Consent to Sever Applications.

The lands are also subject to Applications for Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) (Files OP01-2017 & Z01-2017) which will not change the Official Plan designation or the zone category on the lands, but rather will add special policies and special provisions respectively to permit the creation of separate lots for the existing residential uses in the Highway Commercial designation and in the Highway Commercial Zone.

The two subject properties are designated "Highway Commercial" in the Town Official Plan and zoned "Highway Commercial Zone – C3-H" in the Town Zoning By-law Z1-1997, as amended. On Monday, June 5, 2017 PAC reviewed the applications for an OPA and a ZBA affecting the lands. The PAC has recommended approval of the applications to Council. Council will host a Public Meeting on June 27, 2017 to consider the applications for an OPA



and ZBA. The three applications for Consent to Sever presented to Committee of Adjustment tonight are expected to be deferred pending Council approval of the OPA and ZBA for the lands.

Mark Stone provided comments in support of the severances stating that the lot sizes created are appropriate. Mark Stone stated that Committee of Adjustment should consider deferring the applications tonight. Due to provisions under the Ontario Planning Act it is not appropriate for the severances to be approved while an application for an OPA affecting the lands is still under consideration by Council. Once the OPA has been approved by Council, the Consent to Sever applications can come back to this Committee of Adjustment for consideration.

Chairman Steve Cousins asked for comments and questions from Committee Members.

Member Dr. Jim Loucks stated he does not see the 3.0m road widening on the severance drawings. Dave Hanly responded, stating that the comments from the Town Engineering and Public Works Department, received as a result of circulation of the applications, recognize that Queen Street is currently 27m wide and as an arterial road should be 30m wide. Therefore the road widening was not shown on the application sketches; but will be shown on the Reference Plan which will follow approval of the severances. To show the road widening at this stage of the applications would be premature.

Chairman Steve Cousins asked for comments and questions from the Public. There were no questions or comments from the Public.

This concluded discussion of Consent to Sever applications B04-2017; B05-2017 and B06-2017.

### **DECISION B04-2017**

**Application for Consent to Sever: B04-2017 affecting Part Lot 17, Concession 19, 825 and 895 Queen Street East, St. Marys for Margaret McMillan Baird**

Moved by: Member William J. Galloway

Seconded by: Member Dr. J. H. Loucks

THAT the Committee of Adjustment for the Corporation of the Town of St. Marys grant a deferral to Consent to Sever Application No. B04-2017 from Margaret McMillan Baird for a period of up to three (3) months from today's date, June 7, 2017.

CARRIED

### **DECISION B05-2017**

**Application for Consent to Sever: B05-2017 affecting Part Lot 17, Concession 19, 825 and 895 Queen Street East, St. Marys for Margaret McMillan Baird**

Moved by: Member William J. Galloway

Seconded by: Member Dr. J. H. Loucks

THAT the Committee of Adjustment for the Corporation of the Town of St. Marys grant a deferral to Consent to Sever Application No. B05-2017 from Margaret McMillan Baird for a period of up to three (3) months from today's date, June 7, 2017.



CARRIED

## **DECISION B06-2017**

**Application for Consent to Sever: B06-2017 affecting Part Lot 17, Concession 19, 825 and 895 Queen Street East, St. Marys for Bairds of Strathaven Inc.**

Moved by: Member William J. Galloway

Seconded by: Member Dr. J. H. Loucks

THAT the Committee of Adjustment for the Corporation of the Town of St. Marys grant a deferral to Consent to Sever Application No. B06-2017 from Bairds of Strathaven Inc. for a period of up to three (3) months from today's date, June 7, 2017.

CARRIED

## **Next Meeting**

July 19, 2017 at 6:30 pm.

## **Adjournment**

Motion by Member William J. Galloway

Seconded by Member Dr. J. H. Loucks

THAT the meeting adjourn at 6:55 pm.

CARRIED

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Steve Cousins,  
Chairman Committee of Adjustment

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Susan Luckhardt,  
Secretary-Treasurer Committee of Adjustment

Copies to:

- Committee of Adjustment Members
- Clerk's Office
- Perth County Planning Office

OPA, ZBA AND SEVERANCE SKETCH

OF PART OF  
LOT 17  
CONCESSION 19.

(GEOGRAPHIC TOWNSHIP  
OF BLANSARD)  
NOW IN THE  
TOWN OF  
ST. MARYS  
COUNTY OF PERTH

SCALE 1:2000  
0 8 16 24 32 40 80 METRES

MTE OLS LTD.  
ONTARIO LAND  
SURVEYORS

GOLF COURSE (OS)

PART 14,  
PLAN 44R-2841

ADOPTED AS PUBLIC  
HIGHWAY BY BY-LAW No.  
21-71, INST. No. 152009

QUEEN

STREET

ROAD 120

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSION 19 and NORTH BOUNDARY CONCESSION)

PARCEL AREAS		
PARCEL	AREA (m <sup>2</sup> )	AREA (Ha)
①	1219.2	0.1219
②	3110.0	0.3110
③	3516.1	0.3516
④	12867.6	1.2868
⑤	414.1	0.0414
⑥	32914.2	3.2914

AREAS:

AREAS SHOWN ON THIS PLAN IN SQUARE  
METRES AND CAN BE CONVERTED TO  
ACRES BY DIVIDING BY 4046.8564.

METRIC:

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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COGO : 35725-101-UTMGROUND.ASC

Drawn By : M. MASCIOTRA

Checked By : T. McNEIL, O.L.S.

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## File No : 35725-101-SV3 (S)