



**Minutes of the Town of Erin
Committee of Adjustment Meeting**

**March 20, 2024
6:00 PM
Municipal Council Chamber**

Present:	Robert Fletcher	Chair
	Elizabeth Crighton	Member
	Wayne Parkinson	Member
Absent:	Brad Bruce	Member
	William Oughtred	Member
Staff Present:	Justin Grainger	Secretary-Treasurer

1. Call to Order

Chair Robert Fletcher called the meeting to order at the hour of 6:00 PM and announced that this meeting has been called under the Authority of Section 45(1) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-law 07-67. The Chair stated that the following application will be heard this evening: A02-24.

The Chair stated the purpose of this Public Meeting of the Town of Erin Committee of Adjustment is to allow the presentation of an application for a Minor Variance and to allow interested members of the public the opportunity to ask questions or offer comments with regard to this application. Staff requests that members of the public seeking to pre-register for a meeting or submit written comments email coa@erin.ca.

The Chair advised that if any member of the public would like to be notified in writing of the Committee of Adjustment's decision on an application they are to email coa@erin.ca or mail this request to 5684 Trafalgar Road, Hillsburgh, ON N0B 1Z0.

The Secretary-Treasurer explained the appeal process, that certain parties may be eligible to appeal the Committee's decision and must do so within twenty (20) days of notice by filing with the Secretary-Treasurer of the Committee a notice of

appeal setting out the objection to the decision and the reason in support of the objection accompanied by a payment to the Secretary-Treasurer of the fee set out by the Tribunal under the *Ontario Land Tribunal Act, 2021*.

2. Approval of Agenda

Moved By Member Crighton

Seconded By Member Parkinson

Be it resolved that the Committee hereby approve the agenda as circulated.

Carried

3. Declaration of Pecuniary Interest

None.

4. Requests for Withdrawal or Deferral of Application

None.

5. Notices

The Secretary-Treasurer advised notice was given by mail on March 5th, 2024 to every owner of land within 60 meters (200 ft) of the subject property and to agencies requiring notice as prescribed under the *Planning Act*. Also, public notice was issued on the Town's Website.

The Secretary-Treasurer advised applicable agencies were circulated including the conservation authorities, the County of Wellington, the Ministry of Municipal Affairs and Housing, school boards, Enbridge Gas and Town Staff.

6. Applications

6.1 File Number: A02-24 9703 Dundas Street East

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Section 5.1, Table 4 of Zoning By-law 07-67, as amended, to permit:

- A front yard setback of 6.45 m for the proposed attached garage, whereas the Zoning By-law requires a front yard setback of 10.5 m.

6.1.1 Planning Report

Town of Erin - Planning Department

- The property is designated Residential in the Town of Erin Official Plan. The property is further located within the Village of Erin Urban Area.
- The proposed requested relief would not alter the Residential designation of the property, and would not result in a change to the intent and/or purpose of the Residential designation.
- Town Planning staff are of the opinion that the proposed variance is in keeping with the general intent and purpose of the Town of Erin Official Plan.
- The property is zoned Agriculture (A).
- The general intent and purpose of the Zoning By-law is to regulate land uses and regulations, as it relates to the placement of buildings and structures on land.
- The front yard setback serves to ensure that the residential streetscape character is maintained. In addition, front yard setbacks ensure that an adequate amount of space can be reserved for utility work, servicing, and potential future road widenings.
- Given the existing character of the existing Tenth Line and Dundas Street East streetscape, consisting of fairly spaced out residential properties, the proposed variance maintains the general purpose and intent of the Zoning By-law and the front yard setback requirement. In addition, the location of the new garage is placed both in proximity to the existing driveway (eliminating the need for an additional driveway entrance) and is at an appropriate distance away from the existing well at the front of the property.
- The purpose of the proposed variance is to allow for the construction of an attached garage for the private use of the residential home on the property, while the current detached garage is renovated for a proposed additional residential unit.
- The proposed construction of a new garage, in order to allow for the future renovation work for an additional residential unit, contributes to the need for more housing.

- The requested variance is minor in nature, as it does not result in any significant changes to the function of the property. The variances continue to serve to maintain the site layout and function of the property.

6.1.2 Correspondence

Canada Post

- No comments on this application.

Credit Valley Conservation Authority

- Although the property is partially regulated by CVC, the proposed garage appears to be on a portion of the property that is outside of CVC regulated area. As such CVC staff have no concerns regarding the proposed garage and do not object to the approval by the Committee.

Source Water Protection

- Since this property is not located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the Clean Water Act.

6.1.3 Comments

The Chair requested that the applicant speak to the application.

Antonio Savoia (On behalf of applicant)

Advised the applicant is seeking to construct an attached garage to the existing dwelling for additional storage and that the applicant further intends to use the existing garage as a rental unit.

Member Crighton

Asked if approval has been granted by the Town for the conversion of the existing garage into an additional dwelling unit.

Antonio Savoia (On behalf of applicant)

Advised the Town has advised the conversion is permissible but that permits are still outstanding.

6.1.4 Decision of the Committee

Moved By Member Parkinson
Seconded By Member Crighton

Be it resolved that the Town of Erin Committee of Adjustment hereby **APPROVE** Minor Variance Application A02/24 as the application meets the Planning Act tests for a Minor Variance being:

1. The requested variance is considered minor in nature;
2. The variance is appropriate for the development or use of the land, building or structure;
3. The general intent and purpose of the Zoning Bylaw is maintained; and
4. The general intent and purpose of the Official Plan is maintained.

Carried

7. Adoption of Minutes

7.1 February 21, 2024 Committee of Adjustment Meeting

Moved By Member Crighton
Seconded By Member Parkinson

Be it resolved that the Committee hereby adopts the minutes as circulated for the following Committee of Adjustment meeting:

- February 21, 2024

Carried

8. Adjournment

Moved By Member Parkinson
Seconded By Member Crighton

Be it resolved that the Town of Erin Committee of Adjustment hereby adjourns this Public Meeting held pursuant to Section 45 of the *Planning Act* at 6:11 PM.

Carried

Chair Robert Fletcher

Secretary-Treasurer Justin Grainger