



TOWN OF ERIN COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE A02/19 *Planning Act, R.S.O. 1990, Chap.P. 13, ss.45(5)*

TAKE NOTICE that an application for minor variance, under the above file number has been submitted to the Committee of Adjustment for the Town of Erin. The Committee will give consideration to the minor variance application on:

Wednesday, January, 30th 2019
Town of Erin Municipal Offices
Council Chambers
5684 Trafalgar Road, Hillsburgh
7:15 p.m.

LOCATION OF THE SUBJECT PROPERTY is legally described as Plan 155 Part Lot 7 WM Street and Concession 7 Part East ½ 23 W/S Main , with a civic address of 34 Trafalgar Road. The property is approximately 2065 m² (0.51 ac) in size and the location is shown on the map below.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from Zoning By-law 07-67 specifically Section 6.1.2 Table 6. The applicant is proposing a reduced lot frontage for both the severed and retained lots of 20.4m (66.93 ft). This does not meet the minimum lot frontage requirements of 24.4m (80.05 ft) by 4.0m (13.12 ft).

The purpose and effect of the application is to provide relief from Zoning By-Law 07-67 specifically Section 6.1.2 Table 6. The applicant is proposing a reduced lot area for both the severed and retained lands. The proposed minimum lot area for the severed lands is 1030m² (0.26 ac) which does not meet the minimum lot area requirements of 1858m² (0.46 ac) by 828m² (0.2 ac). The proposed minimum lot area for the retained lands is 1035m² (0.26 ac) which does not meet the minimum lot area requirements of 1858m² (0.46 ac) by 823m² (0.2 ac).

This application is not currently the subject of a consent application. It is the owner's intent to apply for consent application if A02/19 is supported by the Committee of Adjustment.

ORAL OR WRITTEN SUBMISSION

Any person or public body is entitled to attend the public meeting and make written or oral submissions on the proposed variance.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin before the variance is passed, the person or public body is not entitled to appeal the decision of the Council of the Town of Erin to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Erin before the variance is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

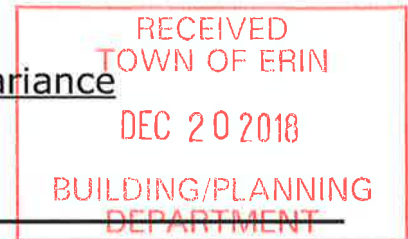
NOTICE OF DECISION

If you wish to be notified of the decision of the Committee of Adjustment for the Town of Erin in respect of this application, you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment for the Town of Erin at the address provided below.

ADDITIONAL INFORMATION regarding this application, including information about appeal rights, is available between 8:30 a.m. and 4:30 p.m. at the Town of Erin Municipal Office.



TOWN OF ERIN - Application for a Minor Variance GUIDELINES AND EXPLANATORY NOTES



****A pre-consultation meeting must be scheduled with the Building and Planning Departments, and the completed application and supporting documents must be supplied prior to the meeting. The application must be reviewed before submission to the Secretary-Treasurer****

Introduction

The submission of an application to the municipality to seek relief from a municipal Zoning By-law is provided for under Section 45 of The Planning Act, R.S.O., 1990, as amended. As such, this form must be completed and accompanied with the required fee and sketch prior to circulation by Committee of Adjustment. The purpose of these Guidelines is to assist persons in completing the Minor Variance Application. Please contact the Municipal Office directly if you require clarification on any matter covered by this application form.

Application Fees - \$600.00 Minor Variance Application Fee

Each application must be accompanied by the application fee in the form of a cheque/cash/money order payable to the Town of Erin. This fee is used to pay all legal, planning and other associated costs with respect to the processing of the subject application.

Authorization

If the applicant (agent or solicitor) is not the owner of the subject land, Section H of the application must be filled out by the owner, which authorizes the applicant to act on behalf of the owner as it relates to the subject application.

Source Water Protection

Is the subject land within a Wellhead Protection Area, Issue Contributing Area, or Intake Protection Zone of an approved Source Protection Plan in effect? YES [] NO []

If yes, please complete the Source Water Protection form and submit with your application.

Drawing

All applications for a Minor Variance must include an accurate and to scale sketch. In some cases, it may be preferable that this plan be prepared by a qualified professional. This sketch should show the items listed as applicable to the relief being sought. Each copy of this application must be accompanied by a plan/sketch showing the boundaries dimensions of the subject land and all of the abutting land showing the location, size and type of all existing and proposed buildings and structures on the subject land and abutting land. Where relevant to the relief being requested, the drawings must also show any of the following applicable items:

- Dimensions of area of relief
- Neighbouring properties
- Neighbouring land uses
- North arrow
- Public / private roads, allowances, rights of way
- Distance to lot lines
- Natural features (river or stream banks, wetlands)
- Other features (bridges, wells, railways, septic systems)
- Easements, restrictive covenants
- Other features (bridge, wells, railways, septic system)
- If water access, the location of parking and docking facilities

Supporting Information

Please bear in mind that additional information may be required by the municipality, county, local and provincial agencies in order to evaluate the proposed Minor Variance. The required information may include studies or reports to deal with such matters as environmental impacts, traffic, water supply, sewage disposal and storm water management. Ontario Regulation 200/96 outlines specific information, which must be included within an application for minor variance.

Approval Process

Upon receipt of an application, the required fee and other information as may be required, the Secretary Treasurer of the Committee of Adjustment or the Clerk of the municipality will notify those parties that are to receive notice under Ontario Regulation 200/96. This involves the circulation of the application to various agencies and abutting landowners for their comments. There may be an additional cost associated with the circulation for comments. The applicant or agent will be requested to attend a public hearing to present the proposal. Please note that it is in the applicant's best interest to ensure that they are represented at this meeting. The applicant and any other parties requesting notice will be provided with a notice of any decision made by the Committee as well as the reasons for their decision.

For further information, please contact:

Lisa Campion
Secretary-Treasurer, Committee of Adjustment
c/o Corporation of the Town of Erin
5684 Trafalgar Road Hillsburgh, ON N0B 1Z0

Phone: 519-855-4407 x248 Fax: 519-855-4281
e-mail: lisa.campion@erin.ca
Copies: One copy of this application, including the drawings and other information as may be specified shall be required

Minor Variance Application

Pursuant to Section 45 of The Planning Act R.S.O. 1990, as amended

Town of Erin

5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0
(519) 855-4407 Fax: (519) 855-4821

	For Office use: Application Fee Received:
	Date Received:
	File Number:
	Date Complete Application Filed:
	Roll Number:

A. General Information

Applicant Information		
a) Owner (Full name and address of Owner(s), whether a Corporation/Individual, must be provided)		
Contact Name(s): <u>Kelly Morrow</u>		
Address: <u>300 PENDANT DRIVE</u>		Municipality: <u>MISSISSAUGA</u>
Phone / Fax: [REDACTED]	E-Mail: [REDACTED]	Postal Code: <u>L5T 2K6</u>
Note: Authorization is required if the applicant is <u>not</u> the owner (See Page 5)		
b) Agent *** If different from above***		
Contact Name(s): <u>JUSTIN MORROW</u>		
Address: <u>300 PENDANT DRIVE</u>		Municipality: <u>MISSISSAUGA</u>
Phone / Fax: [REDACTED]	E-Mail: [REDACTED]	Postal Code: <u>L5T 2W6</u>
c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:		
Name(s): [REDACTED]		
Address: [REDACTED]		Municipality: <u>BRAMPTON</u>
Phone / Fax: [REDACTED]	E-Mail:	Postal Code: <u>L6V 4K2</u>
d) Send correspondence to the following: (Please specify)		
Owner:	Agent: <u>JUSTIN MORROW</u>	Other:

B. Reason for Application

Under what <u>Provision(s)</u> of the Zoning by-law is the application being made, and what is the nature and extent of the relief? (also indicate on sketch)	
<p>Section: <u>6.1.2</u> provide relief from zoning by-law 07-67 specifically section 6.1.2 Table 6</p> <p>1) minimum lot frontage requirements for both lots. This does not meet the minimum requirement of 24.4m by 4m. The proposed lot frontage is 20.4m.</p> <p>2) minimum lot area requirements for Lot A. This does not meet the required 1858m² by 828m². The proposed area is 1030m².</p>	
Why is it not possible to comply with the provisions of the By-Law? (also indicate on sketch)	
<p>LOT IS NOT LARGE ENOUGH. THE PROPOSED LOT SIZE IS SIMILAR TO THAT OF EXISTING LOTS WITHIN LIMITS OF HILLSBURGH AND ADJACENT PROPERTIES</p>	
What is the current County and Town of Erin official plan and Town of Erin zoning status?	
A) Town of Erin Official Plan Designation: <u>Residential core greenlands (orlands)</u>	B) Zoning: <u>R1 - Residential</u>
B) County of Wellington Official Plan Designation: <u>Urban Center</u>	
<p>3) minimum lot area requirements for Lot B. This does not meet the requirement of 1858m² by 823m². The proposed lot area is 1035m²</p>	

C. Access to Subject Lands

Provide a description of the entire property:

Street Address: <u>34 TRAFALGAR ROAD</u>	City/Town: <u>HILLSBURGH</u>	Municipality: <u>ERIN</u>
Concession: <u>7</u>	Lot: <u>7</u>	Registered Plan #: <u>ISS.</u>
Width of Road Allowance (if known):		
Road or Street Providing access to subject property: <u>TRAFALGAR ROAD</u>		
Frontage: <u>40.8 metres</u>	Depth: <u>50.0 metres</u>	Area: <u>2065 m²</u>

Please indicate what the access to the subject property is:

Provincial Highway		Other Public Road	
Seasonally Maintained Municipal Road		Right-of-way	
Continually Maintained Municipal Road	<input checked="" type="checkbox"/>	Water Access	

If access is by water only; please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from subject land to the nearest public road:

D. Municipal Services Provided:

Please indicate the applicable water supply and sewage disposal:

Building	Municipal Water	Communal Water	Private Well	Other Water Supply	Municipal Sewers	Communal Sewers	Private Septic	Other Sewage Disposal
Existing			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
Proposed			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	

Please indicate what the storm drainage is provided by:

Sewers		Swales	
Ditches		Other Means	

E. Existing, subject, and abutting property land uses, buildings and their locations

Number of existing buildings or structures on the subject land: <u>1</u>	Indicate units of measurement: Metric <input checked="" type="checkbox"/> Imperial _____
Provide the information below for each (for additional buildings or structures add sheet)	
Type of Building <u>DETACHED</u>	Height of Building or Structure: <u>5.4</u> meters.
# of Parking Spaces <u>6</u>	Dimensions of Floor Area: <u>36' x 40'</u>
# of Loading Spaces _____	Total Floor Area (excluding basement): <u>2000 SQ. FT.</u>
	% of Lot Coverage: <u>6.7%</u> # of Floors: <u>2</u>
	Setback from: Front Lot Line: <u>21.31.</u> Rear Lot Line: <u>15.</u> Side Lot Lines <u>11</u> & <u>17.36</u>
What is the existing use of:	

A) The Subject Property: RESIDENTIAL

B) The Abutting Property: RESIDENTIAL

C) How long have the existing uses continued on the subject property: 140 YEARS.

What is the Proposed use of the subject land:

SEVERE LOT 7 INTO TWO LOTS AND BUILD TWO DETACHED RESIDENTIAL HOMES. DEMOLISH EXISTING HOUSE

Number of Proposed buildings or structures on the subject land: <u>2</u>		Indicate units of measurement:
Provide the information below for each (for additional buildings or structures add sheet)		Metric _____ Imperial <input checked="" type="checkbox"/>
Type of Building <u>DETACHED</u>	Height of Building or Structure: <u>7.4</u> meters.	Setback from:
# of Parking Spaces <u>4</u>	Dimensions of Floor Area: <u>40' 7/2" x 46' 6"</u>	Front Lot Line: <u>56' 8"</u>
# of Loading Spaces _____	Total Floor Area (excluding basement): <u>2706</u>	Rear Lot Line: <u>24' 7/4"</u>
	% of Lot Coverage: <u>23.4%</u> # of Floors: <u>2</u>	Side Lot Lines <u>4' 11" & 9' 10"</u>

Has the subject land ever been the subject of an application under section 45 of the Act? Yes No

F. Dates regarding subject property

Date of acquisition of subject property: AUGUST 2016

Date of Construction of all buildings on subject property: 1880

G. Other related planning applications

If known, is the subject land the subject of any of the following development type applications:

Application	Yes	No	File Number:	File Status:
Official Plan Amendment		<input checked="" type="checkbox"/>		
Zoning By-law Amendment		<input checked="" type="checkbox"/>		
Plan of Subdivision		<input checked="" type="checkbox"/>		
Site Development Plan		<input checked="" type="checkbox"/>		
Building Permit		<input checked="" type="checkbox"/>		
Consent (Land Division Committee)		<input checked="" type="checkbox"/>		
Previous Minor Variance Application		<input checked="" type="checkbox"/>		

H. Authorization for Agent/Solicitor to Act for Owner

If affidavit is signed by an Agent/Solicitor on Owner's behalf, and/or the Agent will act on behalf of the Owner with regards to this application, the Owner's written authorization below must be completed.

I (we) Kelly Morrow, of the Town of Erin, County of Wellington do hereby authorize Justin Morrow to act as my agent in this application.

[Signature] Signature of Owner(s) Dec 19/18 Date

I. Permission to Enter

Owner or Authorized Agent:

I JUSTIN MORROW, of the Town of Erin, County of Wellington do hereby authorize the members of the Committee of Adjustment and members of the staff of the Town of Erin to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

Location of Land: 34 TRAFALGAR ROAD

Signed: [Signature] Date: Dec 19/18
Owner or Authorized Agent

Print Name: JUSTIN MORROW

J. Affidavit:

This affidavit must be signed in the presence of a Commissioner.

I (we) JUSTIN MORROW of the Town of Erin, County of Wellington, do solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

This 20TH day of DECEMBER, 20 18.

[Signature] Signature of Owner or Authorized Solicitor/Agent Dec 20/18 Date

Declared before me at the Town of Erin in the County of Wellington:

[Signature] Signature of Commissioner Dec. 20, 2018 Date

Stamp: **URSULA D'ANGELO, a Commissioner, etc..
County of Wellington, while Treasurer
for the Corporation of the Town of Erin**

Reviewed by:

Town of Erin Building Department

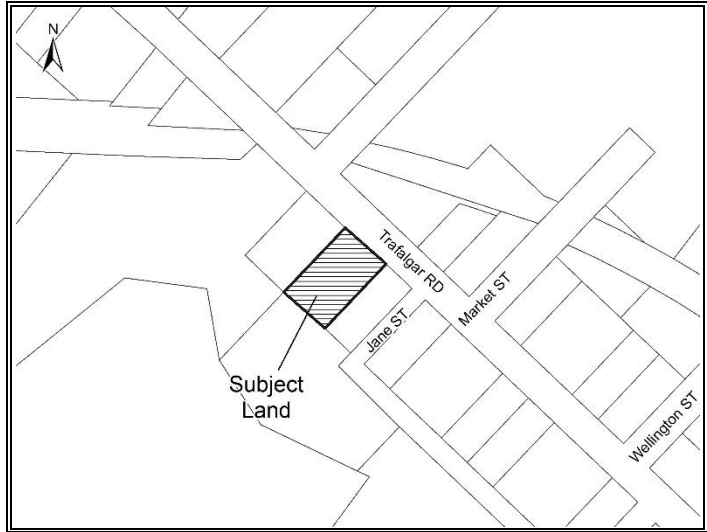
Town of Erin Planning Department



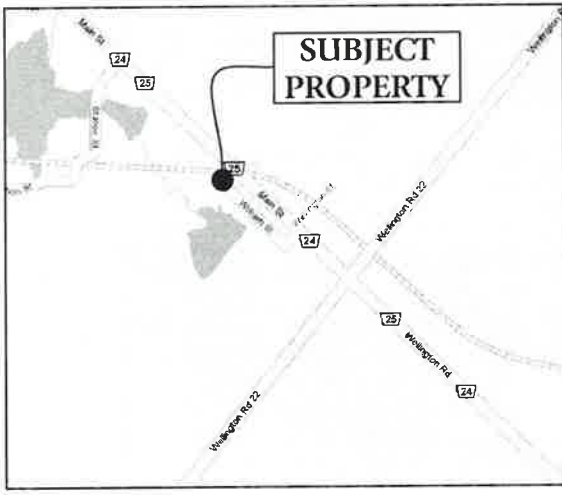
Dated at the Town of Erin
This 11th day of January, 2018

Lisa Campion, Secretary-Treasurer
Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0

P 519.855.4407 X248
F 519.855.4821



KEYMAP



SEVERANCE SKETCH
LOT 7, REGISTERED PLAN 155
FORMERLY VILLAGE OF HILLSBURGH
TOWN OF ERIN
COUNTY OF WELLINGTON

SCALE 1 : 500



VAN HARTEN SURVEYING INC.

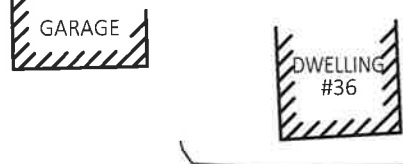
RECEIVED
 TOWN OF ERIN
 DEC 20 2018
 BUILDING/PLANNING
 DEPARTMENT

MINOR VARIANCE REQUIRED
 (A) LOT AREA TO BE 1,030m² INSTEAD OF 1,858m²
 (B) LOT AREA TO BE 1,035m² INSTEAD OF 1,858m²
 (C) LOT FRONTAGE TO BE 20.4m INSTEAD OF 24.4m
 (D) LOT FRONTAGE TO BE 20.4m INSTEAD OF 24.4m

PART 4, 61R--5594
 (EPT1)
 PIN 71143 - 0544

PART 18, 61R--6542
 PART 17, 61R--6542

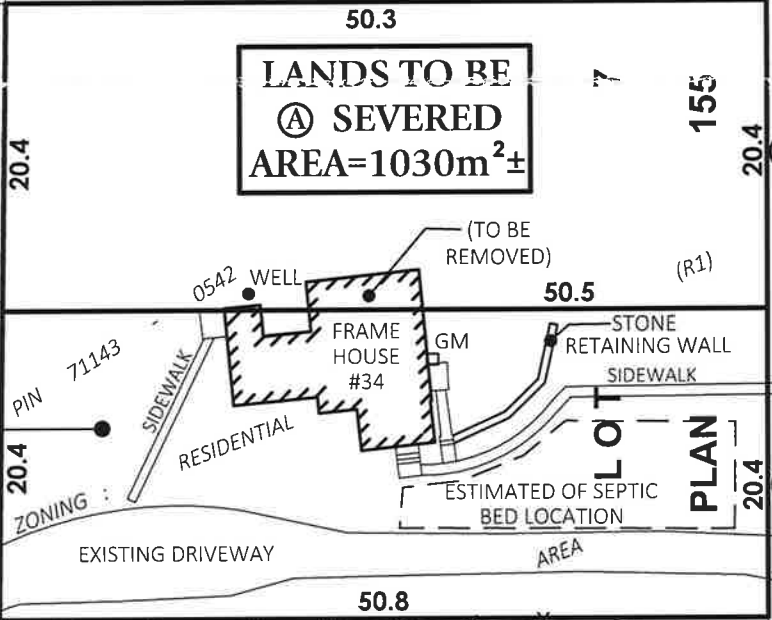
ZONING: RESIDENTIAL (R1)
 LOT 6
 PIN 71143 - 0479



GREENLANDS PROTECTION
 ADDITIONAL LANDS OWNED BY APPLICANT
 PIN 71143 - 0543

LANDS TO BE (B) RETAINED
 AREA=1035m²±

WILLIAM STREET
 ESTABLISHED BY REGISTERED PLAN 155
 PIN 71143 - 0541
 NOT TRAVELLED

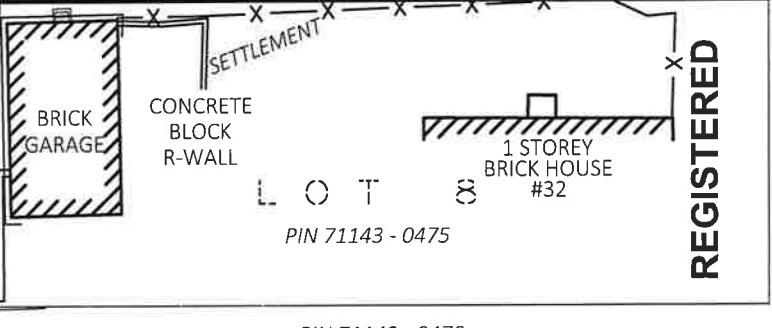


TRAFALGAR ROAD NORTH (MAIN STREET) (WELLINGTON COUNTY ROAD No. 25)
 PIN 71143 - 0329 ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8 20.12m WIDE

(C2)
 "ESSO GAS STATION & CONVENIENCE STORE"
 #25
 PIN 71143 - 0298

LOCAL ENVIRONMENTAL
 VILLAGE
 STEEL-CLAD BUILDING
 COUNTY

PART 15, 61R--6542
 P.O.P.:
 PART 14, 61R--6542
 PART 13, 61R--6542



JANE STREET
 ESTABLISHED BY REGISTERED PLAN 155

LOCAL ENVIRONMENTAL
 GRAVEL
 ROAD

LOT 9
 ZONING: RESIDENTIAL (R1)
 PIN 71143 - 0478

HIGHWAY
 LOT 7 #23
 PIN 71143 - 0299

LOCAL ENVIRONMENTAL
 "HILLSBURGH BAPTIST CHURCH"
 REGISTERED

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RESIDENTIAL (R1).
3. SUBJECT LANDS HAVE A COUNTY OFFICIAL PLAN DESIGNATION OF SETTLEMENT AREA AND LOCAL OFFICIAL PLAN OF RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
6. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

SURVEYORS CERTIFICATE:

THIS SKETCH WAS PREPARED ON THE 23rd DAY OF NOVEMBER 2018.

Jeffrey E. Buisman
JEFFREY E. BUISMAN
 ONTARIO LAND SURVEYOR



Van Harten
 SURVEYING INC.
 LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 26500-18
Nov 22, 2018-11:06:07 AM G:\HILLSBURGH\155\ACAD\SEV LOT7 (MORROW) UTM.dwg		