

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File Nos: **B04-2023 & A07-2023**
Property Owners: **Matthew Staffen and Ashton Staffen**
Property Address: **158 Water Street North**

TAKE NOTICE THAT the Corporation of the Town of St. Marys will hold a public hearing on Wednesday, November 15, 2023, at 6:00 p.m. to hear an Application for Consent to Sever under Sections 50(1) and 53 of the Planning Act R.S.O. 1990, and an Application for Minor Variance under Sections 45(1) and (2) of the Planning Act R.S.O. and you are invited to attend.

Description and Location of Subject Lands

The approximately 1,223.7 m² irregularly shaped property is a through-lot with frontage on the west side of Water Street North and the east side of Emily Street, north of Widder Street East, as shown on the General Location Map. The subject property is designated “Residential” in the Town of St. Marys Official Plan and zoned “Residential Zone Two (R2-1)” and is partially located within the Upper Thames River Conservation Area (UTRCA) regulated area in the Town of St. Marys Zoning By-law Z1-1997, as amended. There is an existing 2-storey dwelling that has been converted into two dwelling units with separate entrances.

Purpose and Effect of Consent to Sever Application (B04-2023)

The Property Owner has applied for a consent to divide the property into two parcels. The following chart describes the characteristics of the proposed lots:



	Size (m ²)	Frontage (m)	Average Depth (m)
Retained Lot	~ 584.9	~ 17.95	~ 36
Severed Lot	~ 638.8	~ 18.97	~ 44.7

The Retained Lot will maintain the existing converted dwelling containing two dwelling units and two parking spaces located on the existing driveway. The Owner intends to construct a new bathroom addition on the northeast corner of the existing building on the Retained Lot.

The Severed Lot will comprise of a converted dwelling with two dwelling units (replacing and expanding part of the existing converted dwelling building) and will be attached to the converted dwelling on the Retained Lot. An attached single-car garage and driveway with parking for two vehicles are also proposed.

Purpose and Effect of Minor Variance Application (A07-2023)

As a result of the proposed consent to sever, an Application for Minor Variance has been submitted seeking relief from the following Zoning By-law requirements:

Retained Lot:

- To permit a minimum lot area of 584.9 m², whereas a minimum lot area of 660.0 m² is required (Section 9.2.1);
- To permit a minimum lot frontage of 17.95m, whereas a minimum lot frontage of 18.0 is required (Section 9.2.2);

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- To permit a minimum interior yard (north) of 0m, whereas a minimum interior yard of 1.2m for the first storey, and 1.8m for the second storey is required (Section 9.25);
- To permit an average lot depth of 36m, whereas the minimum lot depth of 37m is required (Section 9.2.3)
- To recognize the existing interior side yard setback of 2.2m from the southerly lot line, whereas a minimum interior side yard of 2.4m is required (Section 9.2.5);
- To recognize the existing front yard setback of 4.36m, whereas a minimum front yard of 6.0m is required (Section 9.2.4)
- To recognize two existing legal non-conforming parking spaces.

Severed Lot:

- To permit a minimum lot area of 638.8 m², whereas a minimum lot area of 666.0 m² is required (Section 9.2.1)
- To permit a minimum front yard of 4.85m, whereas a minimum front yard of 6.0 is required (Section 9.2.4);
- To permit a minimum interior yard (south) of 0m, whereas a minimum interior yard of 1.2m for the first storey and 1.8m for the second storey is required (Section 9.2.5);
- To permit three (3) parking spaces for the converted dwelling, whereas a minimum of four (4) parking spaces is required (Section 5.21.1.1.A).

Additional details related to these Applications can be requested by sending an email to planning@town.stmarys.on.ca.

Meeting Details

The Town's Committee of Adjustment will be considering the Application at its meeting as follows:

Date: Wednesday, November 15, 2023

Time: 6:00 P.M.

Place: To **observe** the meeting:

In-person: 408 James Street South – Municipal Operations Centre Boardroom

Town's YouTube Channel:

<https://www.youtube.com/channel/UCzuUpFqxcEI80G-dOYKteFQ>

To attend as a **delegation** please email planning@town.stmarys.on.ca no later than noon Friday, November 10, 2023, requesting to be a delegation and include any materials you wish to share with the Committee of Adjustment.

To provide comment for the Committee's consideration, comments can be submitted via email to planning@town.stmarys.on.ca, by mail to the Town Office P.O. Box 998, St. Marys ON N4X 1B6 before 12 noon on Wednesday, November 15, 2023.

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a staff report and will be included in the Council agenda and minutes. Agendas and minutes are published on the Town of St. Marys website:

https://calendar.townofstmarys.com/council?_mid=100956

Other Information:

The Committee of Adjustment decision(s) may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body as defined under subsection 1(1) of the Planning Act, R.S.O 1990, c. P.13. If a specified person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed Minor Variance and/or Consent does not make oral submission at a Public Hearing or make written submissions to the Committee of Adjustment before a decision is made on the Minor Variance and/or Consent, the Ontario Land Tribunal may dismiss the appeal.

An appeal to the decision of the Committee of Adjustment to the Ontario Land Tribunal must be filed to the Secretary-Treasurer outlining the reasons for the appeal. The appeal must include a completed Ontario Land Tribunal Appeal Form and the appeal fee for each Application appealed, paid by certified cheque or money order or made payable to the Minister of Finance. Ontario Land Tribunal Forms can be obtained at www.olt.gov.on.ca.

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