#### THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD



#### AGENDA

Monday April 13, 2022

#### **COMMITTEE OF ADJUSTMENT**

7:00 p.m., Council Chambers, Fingal/Via Video Link

- 1. CALL TO ORDER
- 2. ADDENDUM TO AGENDA
- 3. <u>DISCLOSURE OF PECUNIARY INTEREST</u>
- 4. ADOPTION OF MINUTES
  - (a) Minutes of Committee of Adjustment meeting of January 24, 2022
- 5. <u>NEW BUSINESS</u>
  - (a) Minor Variance Application MV 2022-02, Shaw, 38440 Fingal Line
- 6. ADJOURNMENT



#### Meeting of the Committee of Adjustment Monday January 24, 2022 Via Video Link

MEMBERS PRESENT: Chairperson: Mayor Grant Jones

Members: Deputy Mayor Robert Monteith

Councillor Sarah Emons Councillor Peter North, Councillor: Justin Pennings

Township Administration Present: Lisa Higgs, Secretary-Treasurer

Bryan Pearce, Planner

#### In Attendance:

 Lyndsay Sibley, Don West Construction Ltd, builder of the house at 49 Royal Crescent

C of A 2022-01 MOVED BY: Member North

SECONDED BY: Member Pennings

**THAT** the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2022-01, filed by Donwest Construction Ltd. C/O Lyndsay Sibley at **6:00 p.m.** 

Recorded Vote	Yeas	<u>Nays</u>
S. Emons	<u>√</u>	
G. Jones - Chairperson	$\sqrt{}$	
R. Monteith	$\sqrt{}$	
P. North	$\sqrt{}$	
J. Pennings	<u>√</u>	

**CARRIED** 

C of A 2022- 02 MOVED BY: Member North

#### SECONDED BY: Member Pennings

**THAT** the minutes from the Committee of Adjustment meeting of December 13, 2021 are hereby adopted.

Recorded Vote	Yeas	Nays
S. Emons	$\sqrt{}$	
G. Jones - Chairperson	$\sqrt{}$	
R. Monteith	$\sqrt{}$	
P. North	$\sqrt{}$	
J. Pennings	$\sqrt{}$	

**CARRIED** 

Chairperson Jones called the Committee of Adjustment hearing for Minor Variance 2022-01 to order. He reported that this application is required for the issuance of a building permit to seek relief from Section 8.2(e) Regulations of the Residential 1 (R1) Zone to permit the construction of a 182.6 square metre footprint area, two-storey single detached dwelling with a reduced exterior side yard setback from the required 6.0 metres (19.7 feet) to the proposed 4.0 metres (13.1 feet).

No members of the Committee declared a disclosure of interest on this application.

The Secretary-Treasurer reported that a sign was posted on the property by January 13<sup>th</sup>, 2022 and notices were mailed to property owners with 60m on January 12<sup>th</sup>, 2022.

Planner Bryan Pearce presented his report to the Committee. No questions were asked from the Committee Members on the Planning Staff Report.

The Secretary-Treasurer reported that comments were received from Staff and were detailed in the Planning Staff Report. Comments were also received from the County of Elgin stating no objection and were detailed in the Planning Staff Report.

L. Sibley identified herself and commented that this request had been approved on other houses in the area.

No comments or questions were received from the public.

C of A 2022-03 MOVED BY: Member Monteith

iviember ivionteith

SECONDED BY: Member Pennings

**THAT** Committee of Adjustment of the Township of Southwold receive Report PLA 2022-02 regarding Minor Variance Application MV 2022-01 – Recommendation Report;

**AND THAT** Committee of Adjustment of the Township of Southwold approve the proposed Minor Variance Application MV 2022-01, to obtain relief from Section 8.2(e) Regulations of the Residential 1 (R1) Zone to permit the construction of a 182.6 square metre footprint area, two-storey single detached dwelling with a reduced exterior side yard setback from the required 6.0 metres (19.7 feet) to the proposed 4.0 metres (13.1 feet), subject to the following conditions:

1. That the proposed development is substantially in accordance with the Minor Variance MV 2022-01 drawings, as appended to Report PLA 2022-02.

Recorded Vote	Yeas	Nays
S. Emons	$\sqrt{}$	
G. Jones - Chairperson	$\underline{\checkmark}$	
R. Monteith	$\sqrt{}$	
P. North	$\sqrt{}$	
J. Pennings	$\sqrt{}$	

**CARRIED** 

C of A 2022-04

MOVED BY: Member Monteith SECONDED BY: Member Pennings

**RESOLVED** that the Committee of Adjustment approves Minor Variance Application MV 2022-01, filed by Donwest Construction Ltd. C/O Lyndsay Sibley as per the attached decision sheet.

Recorded Vote	Yeas	<u>Nays</u>
S. Emons	<u>√</u>	
G. Jones - Chairperson	$\sqrt{}$	
R. Monteith	$\sqrt{}$	
P. North	$\sqrt{}$	
J. Pennings	$\sqrt{}$	

**CARRIED** 



#### TOWNSHIP OF SOUTHWOLD

#### COMMITTEE OF ADJUSTMENT NOTICE OF DECISION APPLICATION NO. MV 2022-01

ATTACHED is a certified copy of the decision of the Committee of Adjustment in the matter of an Application MV 2022-01 for a minor variance pursuant to Section 45 (10) of the Planning Act, R.S.O. 1990, as amended.

The applicant, the Minister or any other person or public body who has an interest in the matter may appeal the decision to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) by filing with the Secretary-Treasurer of the Committee of Adjustment, not later than the 14th day of February, 2022, a Notice of Appeal, accompanied by the Tribunal fee, in the amount of \$400.00 for the first appeal and \$25.00 for each further appeal related to the same matter. Certified Cheque, Money Order or Credit Card payment are to be made payable to the Minister of Finance and in Canadian funds. If you wish to appeal, a copy of an appeal form is available from the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) website at: <a href="https://olt.gov.on.ca/tribunals/lpat/about-lpat/">https://olt.gov.on.ca/tribunals/lpat/about-lpat/</a>

Additional Information regarding this application for minor variance is available for review, at the Township of Southwold Municipal Office, or by contacting the Township Planner, Bryan Pearce, HBA, CPT, MCIP, RPP via cell at 519-280-1028 or e-mail at <a href="mailto:planning@southwold.ca">planning@southwold.ca</a>, or available online at the Township's website at: <a href="https://www.southwold.ca/current-planning-applications">www.southwold.ca/current-planning-applications</a>

Dated this 26<sup>th</sup> day of January, 2022.

Lisa Higgs
Secretary-Treasurer of the Committee of Adjustment
Township of Southwold
35663 Fingal Line
Fingal, Ontario NOL 1KO
Phone: 519-769-2010

Fax: 519-769-2837

E-mail: cao@southwold.ca



#### **COMMITTEE OF ADJUSTMENT FOR** THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

#### **DECISION SHEET**

Application No.

MV 2022-01

Date of Hearing:

January 24, 2022

Owner/Applicant: Don West Construction Limited

c/o Lyndsay Sibley

**Description:** 

Lot 37, Plan 11M-249

Municipal Address: 49 Royal Crescent

#### **Lot Description:**

Frontage 19.2 metres (63.1 feet)

Depth 35.0 metres (114.8 feet)

Area 652 square metres (0.16 acres)

In the matter of Section 45(1) of The Planning Act R.S.O 1990, the Township of Southwold Comprehensive Zoning By-law 2011-14, and an application for minor variance.

The owners are requesting a Minor Variance to seek relief from Section 8.2(e) Regulations of the Residential 1 (R1). Zone to permit the construction of a single detached dwelling on the subject lands.

#### Decision:

The application is hereby granted to obtain relief from Section 8.2(e) Regulations of the Residential 1 (R1) Zone to permit the construction of a 182.6 square metre footprint area, twostorey single detached dwelling with a reduced exterior side yard setback from the required 6.0 metres (19.7 feet) to the proposed 4.0 metres (13.1 feet), subject to the following conditions:

1. That the proposed development is substantially in accordance with the Minor Variance MV 2022-01 drawings, as appended to Report PLA 2022-02 and to Schedule A of this decision.

Reasons, in accordance with Report PLA 2022-01:

- 1. The variance maintains the intent and purpose of the Official Plan.
- 2. The variance maintains the intent and purpose of the Zoning By-law.
- The variance requested is desirable for the appropriate and orderly development and 3. use of the lands and buildings.
- The variance is minor in nature. 4.

The effect of written and oral submissions on the Decision is contained within Report PLA 2022-01 and the minutes of the Committee of Adjustment Meeting of January 24, 2022.

We, the undersigned, concur in the decision and reasons given for the decision of the Committee of Adjustment for the Township of Southwold of this 24<sup>th</sup> day of January, 2022.

ELECTRONIC RECORDED VOTE	TO GRANT	TO REFUSE	Absent Present
Chairperson and Committee Member, Grant Jones			() (8
Committee Member, Robert Monteith			
Committee Member, Justin Pennings			() (4
Committee Member, Peter North			() (8
Committee Member, Sarah Emons			

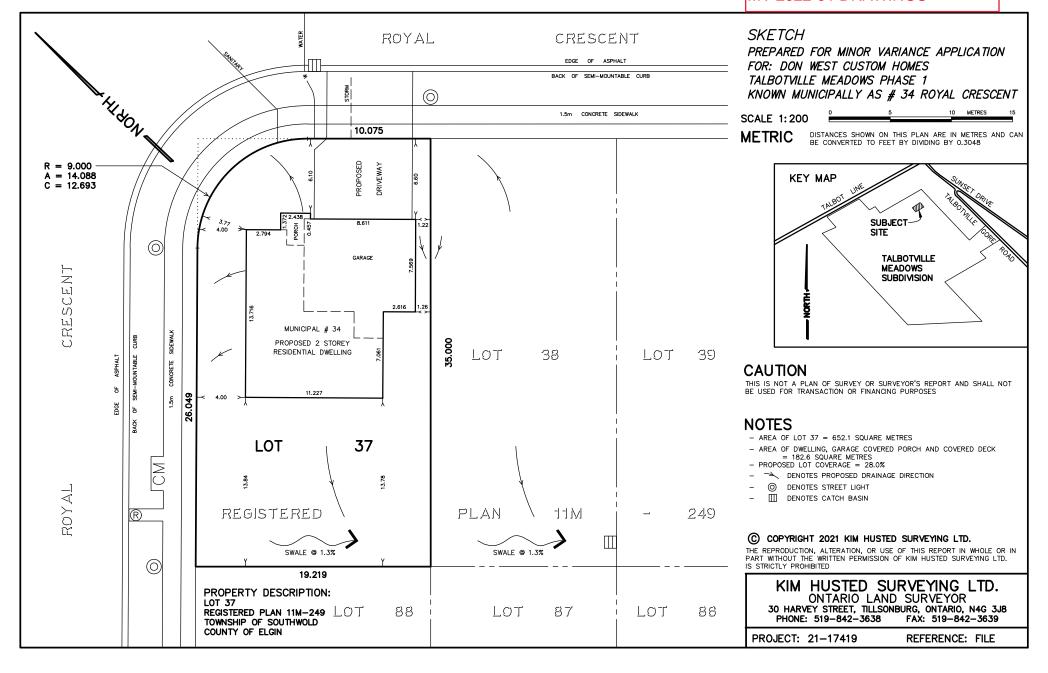
\*\*\*\*\*CERTIFICATION OF COMMITTEE'S DECISION\*\*

I, Lisa Higgs, being the Secretary-Treasurer of the Committee of Adjustment for the Township of Southwold, certify that this is a true copy of the Committee's decision on the 24<sup>th</sup> day of January,

Secretary-Treasurer

Date Date

#### PLA 2022-02 APPENDIX ONE: MV 2022-01 DRAWINGS

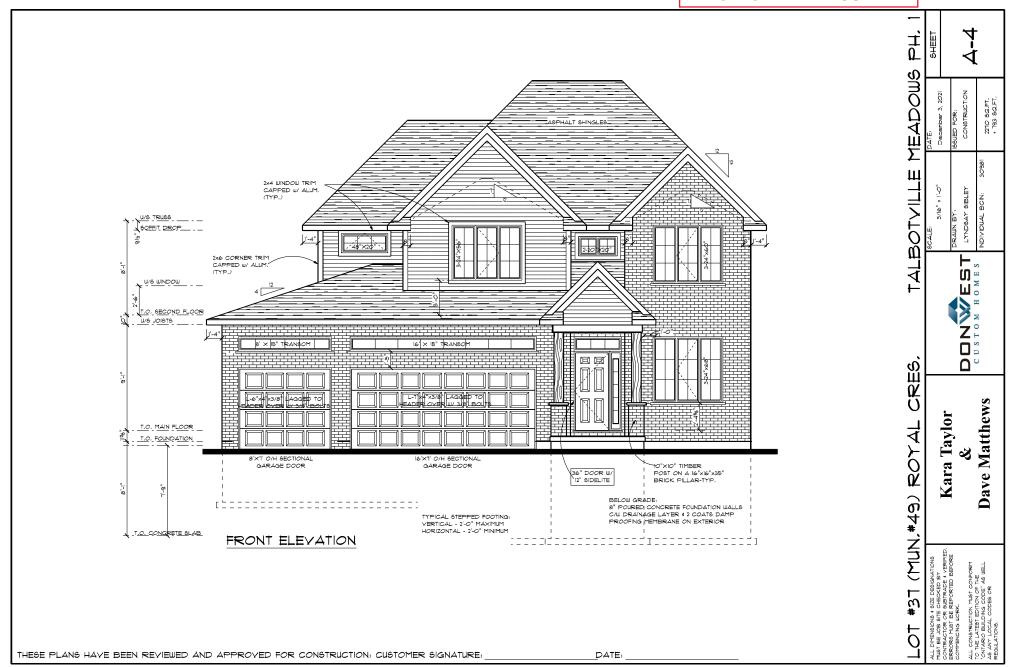


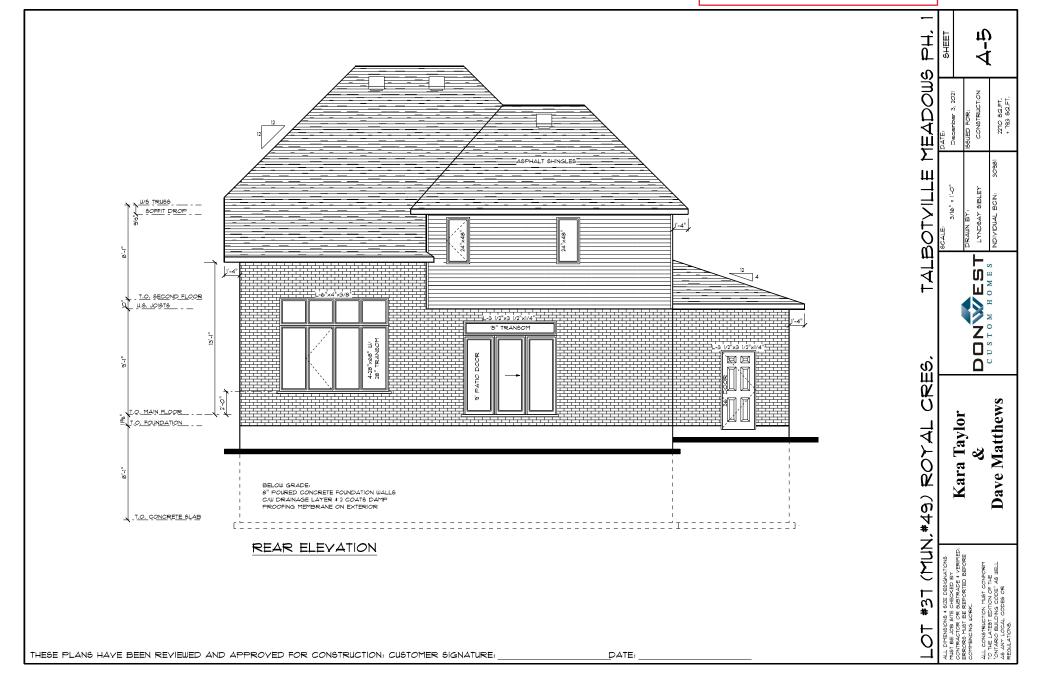
#### PLA 2022-02 APPENDIX ONE: MV 2022-01 DRAWINGS NOTE: LOCATION OF UTILITIES ARE APPROXIMATE. EXACT LOCATIONS TO BE DETERMINED BY SITE CONDITIONS TYPICAL STRAPPING: "I" EXTRUDED POLYSTYRENE (CLADMATE) AIR SPACE '1'x4" STUDG © 24" O.C. RI4 ROXILL BATT INSULATION 6 MIL POLY VAPOUR BARRIER TYPICAL LOAD BEARING PART.: 2"X4" WOOD STUDS & 16" O.C. W/ BLOCKING MID-HEIGHT. MECHANICALLY FASTENED TO CONCRETE SLAB. ON 18"X6" CONCRETE FOOTING. TYPICAL BASEMENT FLOOR: 3" POURED CONCRETE SLAB (25 MPa MIN.) ON 5" MIN. CRUSHED STONE 8" DEEP BEAM PKT. 5'-2 STEEL SOPPLE アー 70K 0 一 下 1 P の 2 ⟨T3⟩ (L3) . !FINISHED FINISHED FAMILY ROOM U8×21 -6-9 2"x10" FLOOR JOISTS ... 5" O.C. W/ 'X' BRIDGING 23'-2" (L3) 200 AMP $\langle L_i^2 \rangle$ 4" DIA, BIG 'O' S CONDUIT FOR S ELECT, SERVICE --, 40"x36"x18" CONC. FTG JOIST SPACE A 03 T.O. FOUNDATION POUR FLOOR OVER D 35" × 83 UNFINISHED 32" INSIDE DIMENSION 5 8 IBM REBAR AT IS" O.C. EACH WAY I 1/4" CLEAR COVER FROM INSDIE FACE EXTEND BARE 33" PAST STAIRS. FROVIDE 24"/5/4" IDM HOOKED DOWLES AT IS" O.C. VERTICALLY LAPPED AT ISD TO HORIZONTAL BARS AT CORNERS. APPROVED 23'-6" GARAGE FLOOR OVER: 4" CONCRETE SLAB (32 MPa MIN.) ON 5" UNFINISHED GRANULAR FILL. SAW-CUT SLAB 9'-6" HUT (Q) REVIEWED TYPICAL PORCH: 5" POURED CONCRETE SLAB (32 MPA.) ÜK, ISM BARS \* IS" O.C. BOTH WAY'S (SLOPE SLAB MIN. I" DRAIN ૼૢૼ METER SAN. BEEN FOR WATER DRAINAGE HAVE DEEP POCKET 16<sup>1</sup>-5<sup>11</sup>x\_\_\_\_\_ DEEP\_ POCKET 6-SUMP PIT 4 PUMP: CONNECT TO WEEPING TILE. DISCHARGE TO GRADE PN6 8'-0" 28'-3" 45'-5 FOUNDATION PLAN 193 SQ.FT, FINISHED LOT #37 (MUN, #49) ROYAL CRESCENT TALBOTYILLE MEADOWS PH. 1 ALL DIMENSIONS 4 SIZE DESIGNATIONS MUST BE JOB SITE CHECKED BY CONTRACTOR OR SUBTRADE 4 VERIFIED ERRORS MUST BE REPORTED BEFORE COMMENCING WORK. SHEET December 3, 2021 Kara Taylor DONWEST & LYNDSAY SIBLEY CONSTRUCTION ALL CONSTRUCTION MUST CONFORM TO THE LATEST EDITION OF THE "ONTARIO BUILDING CODE" AS WELL AS ANY LOCAL CODES OR REGULATIONS. Д-I CUSTOM HOMES **Dave Matthews** NDIVIDUAL BCIN: 2270 SQ.FT. + 793 SQ.FT.

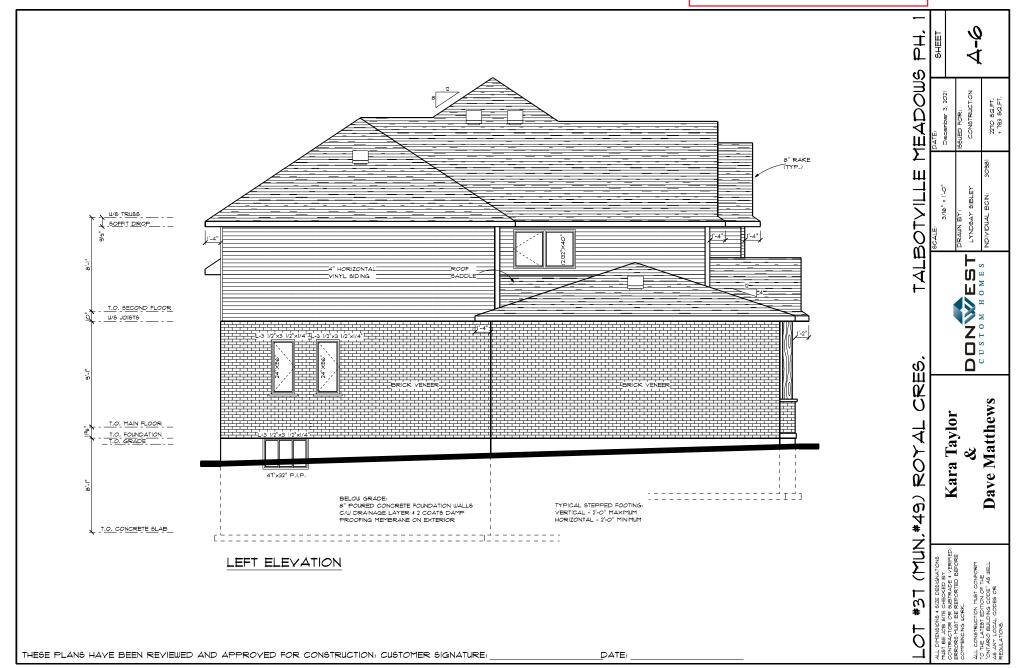
#### PLA 2022-02 APPENDIX ONE: MV 2022-01 DRAWINGS 45'-5" 8'-7" 36'-10" 14'-0" 14'-61/2" The to GH WALL W/ TRANSOMS 2-1.75"×9.5" LV 3-2"×10" OVER AUNDRY 13'-276" 15'-2' NOTE: NO UTILITIES NEXT TO BEAM, BULKHEAD CANNOT BE BIGGER 1-91/2 DINING THAN BEAM 9' CEILING | <u>(L2)</u> GREAT ROOM (OPEN TO ABOVE) 23'-2" 22'-5½" DROPPED CEILING IN PANTRY AND 3-2"x4" WOOD POST W/ DRYWALL TOILET 29.-II DW 5'-4' 2'-3" KITCHEN 9' CEILING FLUSH BEAM STORAGE JOISTS BRIDGING 3'-0 ALUM RAILING STRAP WALL W/ 2"x4" AFTER POLY 2-1,75"X9,25" L FLUGH IN F $\langle L^2 \rangle$ PWDR PENG WIZED STEEL BEAM SMOKE DET. GARAGE 24'-10" E35 SPRAY FOAM INSULATION UNDER SECOND FLOOR 28 <u>=</u>-DINING/OFFICE 9' CEILING III P.ENG WIOX45 STEEL BEAM (L2) 4'-8' ģ COVERED HAVE PORCH 10'-3' WP, BEAM $\langle L2 \rangle$ 9 (2)-1.75"×9.5" 2.0 LVL (2)-1.75"x11.876" 2.0 LVL THESE PLANS 8'XT' O/H SECTIONAL GARAGE DOOR 16x7' O/H SECTIONAL GARAGE DOOR 2'-4" 2'-4" 13'-7" 10'-11" 5'-5" 10'-10" 45'-5" MAIN FLOOR PLAN LOT #37 (MUN, #49) ROYAL CRESCENT TALBOTVILLE MEADOWS PH. 1 ALL DIMENSIONS & SIZE DESIGNATIONS MUST BE JOB SITE CHECKED BY CONTRACTOR OR SUBTRADE & VERIFIED ERRORS MUST BE REPORTED BEFORE COMMENCING WORK. SHEET 3/16" = 1'-0" Kara Taylor & DONWEST CONSTRUCTION LYNDSAY SIBLEY ALL CONSTRUCTION MUST CONFORM TO THE LATEST EDITION OF THE "ONTARIO BUILDING CODE" AS WELL AS ANY LOCAL CODES OR REGULATIONS. A-2 $C\ U\ S\ T\ O\ M\quad H\ O\ M\ E\ S$ **Dave Matthews** INDIVIDUAL BOIN: 2270 SQ.FT. + 793 SQ.FT.

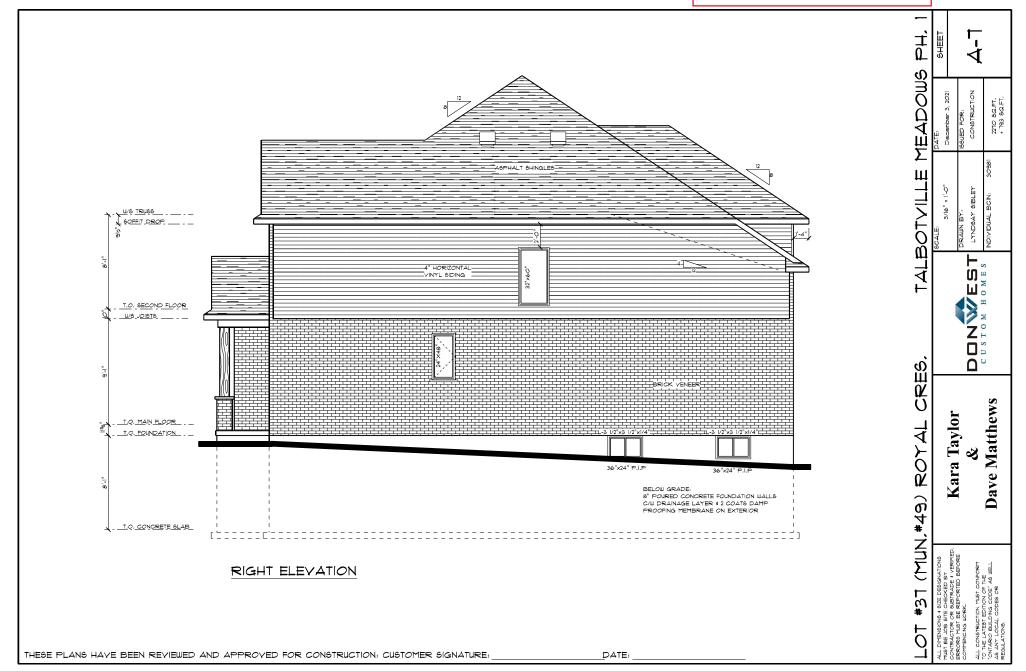
#### PLA 2022-02 APPENDIX ONE: MV 2022-01 DRAWINGS 36'-10" 9'-1" 9'-5" 18'-4" $\langle L2 \rangle$ (L2) 13'-11%" MASTER BEDROOM OPEN TO 28" PKT, DOOR R60: 51.5"X85" BELOW SLOPED (4) 12" WIRE SMOKE DET. SHELVES ENSUITE BATH 10'-7b" (L3) Y3) MELAMINE SHELF W/ MDF FACE \_\_\_\_\_ JECT (13) 3-10 BEDROOM #2 UPPER (L2) HALL ZINEN EN W.I.C. APPROVED <u>-4</u> 9'-416" 900 OPEN TO BELOW. 12'-215" CATHEDRALI CEILIN 1.00 I 5:12 6LPPE BEDROOM 4 BEDROOM #3 CATHEDRAL CELING 5:12 SLOPE HAVE BEEN REVIEWED STRAP OUT WALL , FLUSH W/ BRCK BELOW FOR SIDING 9. $\langle L2 \rangle$ $\langle L2 \rangle$ 2'-3%" 7'-01/2" 14'-4" 10'-10" 36'-10" SECOND FLOOR PLAN IO" DEEP PAINTED MDF ENSUITE SHELVING LOT #37 (MUN, #49) ROYAL CRESCENT TALBOTYILLE MEADOWS PH. 1 ALL DIMENSIONS & SIZE DESIGNATIONS MUST BE JOB SITE CHECKED BY CONTRACTOR OR SUBTRADE & VERIFIED ERRORS MUST BE REPORTED BEFORE COMMENCING WORK. SHEET 3/16" = 1'-0" December 3, 2021 Kara Taylor DRAWN BY DONWEST & LYNDSAY SIBLEY CONSTRUCTION ALL CONSTRUCTION MUST CONFORM TO THE LATEST EDITION OF THE "ONTARIO BUILDING CODE" AS WELL AS ANY LOCAL CODES OR REGULATIONS. **A-3** CUSTOM HOMES **Dave Matthews** INDIVIDUAL BCIN: 2270 SQ.FT. + 793 SQ.FT.

### PLA 2022-02 APPENDIX ONE: MV 2022-01 DRAWINGS









Chairperson Jones advised the Committee and the members of the public that the last day for appealing this decision is February 14<sup>th</sup>, 2022. If you wish to be notified of the decision of the Committee in respect of this application, you must submit a written request to the Township of Southwold Committee of Adjustment. If you are not the applicant, you should request a copy of the decision since it may be appealed to the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) by the applicant or another member of the public.

C	of a	A 2022-05	MOVED BY: Member North
---	------	-----------	------------------------

SECONDED BY: Member Pennings

**RESOLVED** that the meeting of the Committee of Adjustment to hear Application MV 2022-01, filed by Donwest Construction Ltd. C/O Lyndsay Sibley ends at **6:08 p.m.** and the regular meeting of council reconvene.

	Recorded Vote	<u>Y</u>	eas	Nays	
	S. Emons		_		
	G. Jones - Chairperson	$\sqrt{}$		_	
	R. Monteith			_	
	P. North	$\sqrt{}$	<u>-</u>		
	J. Pennings	√_			
					CARRIED
Chairperson			Seci	retary-Treasurer	



#### **TOWNSHIP OF SOUTHWOLD**

Report to Committee of Adjustment

MEETING DATE: April 13, 2022

PREPARED BY: Heather James, MES (Pl.), MCIP, RPP, Planner

**REPORT NO: PLA 2022-05** 

**SUBJECT MATTER: Minor Variance Application MV 2022-02 -**

**Recommendation Report** 

#### Recommendation(s):

THAT the Committee of Adjustment of the Township of Southwold receive Report PLA 2022-05 regarding Minor Variance Application MV 2022-02 – Recommendation Report;

AND THAT Committee of Adjustment of the Township of Southwold approve the proposed Minor Variance Application MV 2022-02, to obtain relief from Section 5.2(e)(i)1. Regulations of the Agricultural 1 (A1) Zone to permit the construction of a 228.6 square metre footprint area, two-storey single detached dwelling with a reduced interior side yard setback from the required 4.5 metres (15.0 feet) to 3.14 metres (10.3 feet), subject to the following conditions:

1. That the proposed development is substantially in accordance with the Minor Variance MV 2022-02 drawings, as appended to Report PLA 2022-06.

#### **Purpose:**

The proposal is to seek relief from Section 5.2(e)(i)1. Regulations of the Agricultural 1 (A1) Zone to permit the construction of a single detached dwelling on the subject lands.

In the notice of public hearing, the notice identified that the minor variance was also required to permit a reduced Minimum Distance Separation I setback for the proposed single detached dwelling to a neighbouring livestock facility and liquid manure storage facility located at 38425 Fingal Line. Upon further review, Township staff have now determined that compliance with the Minimum Distance Separation I setback has been met, in accordance with Section 5.3.2 Special Use Regulations of the Agricultural 1 (A1) Zone.

#### **Background:**

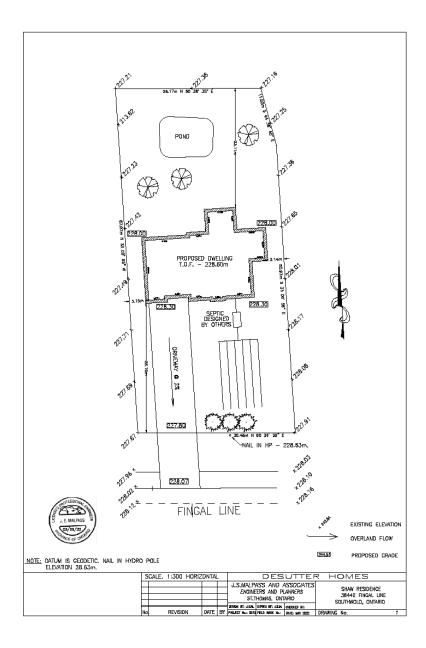
Below is a background information from the application, in a summary chart:

Application	MV 2022-02
Owner/Applicant	Brian and Genevieve Shaw
Legal Description	South Part of Lot 35, Concession North of Talbot Road East
Civic Address	38440 Fingal Line
Entrance Access	Fingal Line
Water Supply	Township water supply
Sewage Supply	Proposed private septic system
Use of Property	Existing: vacant residential
	Proposed: residential
Buildings	Existing: none
	Proposed: single detached dwelling
Existing Land Area	2,044 square metres (0.51 acres)
Official Plan Land Use	Agricultural Area
Designation	
Zoning Category	Agricultural 1 (A1) (Schedule A, Map 7)





Figure Two below is the submitted drawing:



**Comments/Analysis:** 

**Planning Policy Review:** 

#### Provincial Policy Statement

Under Section 3(5) of the *Planning Act*, the Township "shall be consistent with" matters of provincial interest as set out in the Provincial Policy Statements (PPS).

Section 2.3.3 Permitted Uses of Agriculture in the PPS permits a single detached dwelling.

This proposed Minor Variance is consistent with the PPS.

#### County of Elgin Official Plan

The subject lands are designated Agricultural Area as shown on Schedule 'A' Land Use in the County of Elgin Official Plan. In the Agricultural Area designation, a single detached dwelling use is permitted.

Therefore, this proposed Minor Variance conforms to the County of Elgin Official Plan.

#### Four Tests Of The Minor Variance:

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

### 1. Does the variance maintain the intent and purpose of the Township of Southwold Official Plan?

Yes. The subject lands are designated Agricultural Area on Schedule '4' Southwold Land Use of the Township of Southwold Official Plan. A single detached dwelling is permitted in the 'Agricultural Area' designation. The proposed reduced minimum interior side yard does not contravene the Official Plan policies.

## 2. Does the variance maintain the intent and purpose of the Township of Southwold Zoning By-law?

Yes. The subject lands are zoned Agricultural 1 (A1) Zone in the Township of Southwold Zoning By-law 2011-14, Schedule 'A', Map 7. A single detached dwelling is a permitted use in the Agricultural 1 (A1) Zone. With the exception of the proposed reduced minimum interior side yard, the application complies with all remaining zoning provisions.

## 3. Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?

Yes. The variance will enable the owner to construct a single detached dwelling with a reduced minimum interior side yard. Due to the width of the existing lot and due to the proposed size of the dwelling, it is unable to meet the interior side yard requirement. At the time of the issuance of the building permit, the owner will need to demonstrate that the lot grading and lot drainage for the lands will not be compromised as a result of the reduced interior side yard. The variance will not impede the function of the lot.

#### 4. Is the variance minor in nature?

Yes. The meaning of 'minor' is not based on a specific number, where a difference of a number of feet determines whether or not the development is acceptable. It is more appropriate to base this test on the degree of potential impact on neighbouring property owners; the environment; and the municipal, County, or provincial functions.

The impact from the proposed variance is negligible with respect to the environment, Township functions and surrounding property owners.

#### **Circulation Of The Application:**

The application was circulated to the applicable Township Departments, Commenting Agencies, neighboring property owners within 60 metres of the subject lands, and to those that expressed interest in the application through the public hearing on March 31, 2022, 13 days prior to the public hearing (minimum 10 days required).

Additional information related to the application is available on the website: <a href="https://www.southwold.ca/en/business-and-development/current-planning-applications.aspx#MV2022-02-38440-Fingal-Line">https://www.southwold.ca/en/business-and-development/current-planning-applications.aspx#MV2022-02-38440-Fingal-Line</a>

#### **Township Department Comments**

Comments received from the Township Department's are summarized below:

- Infrastructure Department:
  - o No concerns, municipal drain goes around the subject lands.
- Drainage Department:
  - No concerns.
- Financial Services Department:
  - o No comments.

- Building and Community Services Department
  - No comments.

No additional comments were received.

#### **Agency Comments**

At the time of submission of this report, no comments were received from the County of Elgin.

Lower Thames Conservation provided comments that stated the subject lands are not subject to their Authority's Regulations and therefore had no concerns.

No additional comments were received.

#### Public Comments

At the time of submission of this report, no written comments from the public have been received related to the Minor Variance.

#### **Financial Implications:**

None. Application fees were collected in accordance with the Township's Tariff of Fees By-law, as amended time to time.

#### Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:
☑ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
□ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
$\Box$ Exercising good financial stewardship in the management of Township expenditures and revenues.

☑ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

#### **Summary/Conclusion:**

The application has been assessed for appropriateness with regard to existing policy and the impact of the proposal on the surrounding land uses. The application maintains the intent and purpose of the Official Plan and Zoning By-law, desirable for the appropriate and orderly development and use of the lands and buildings and is minor in nature; and therefore, the minor variance application satisfies the four tests pursuant to Section 45(1) of the *Planning Act*, and constitutes good land use planning.

Planning Staff recommends that the request for Minor Variance be conditionally approved, subject to no concerns being raised through any oral and written submissions being received since the writing of this report and at the public hearing.

Once a Committee of Adjustment decision is made, Notice will be sent to those who have requested a copy and/or attended the public hearing.

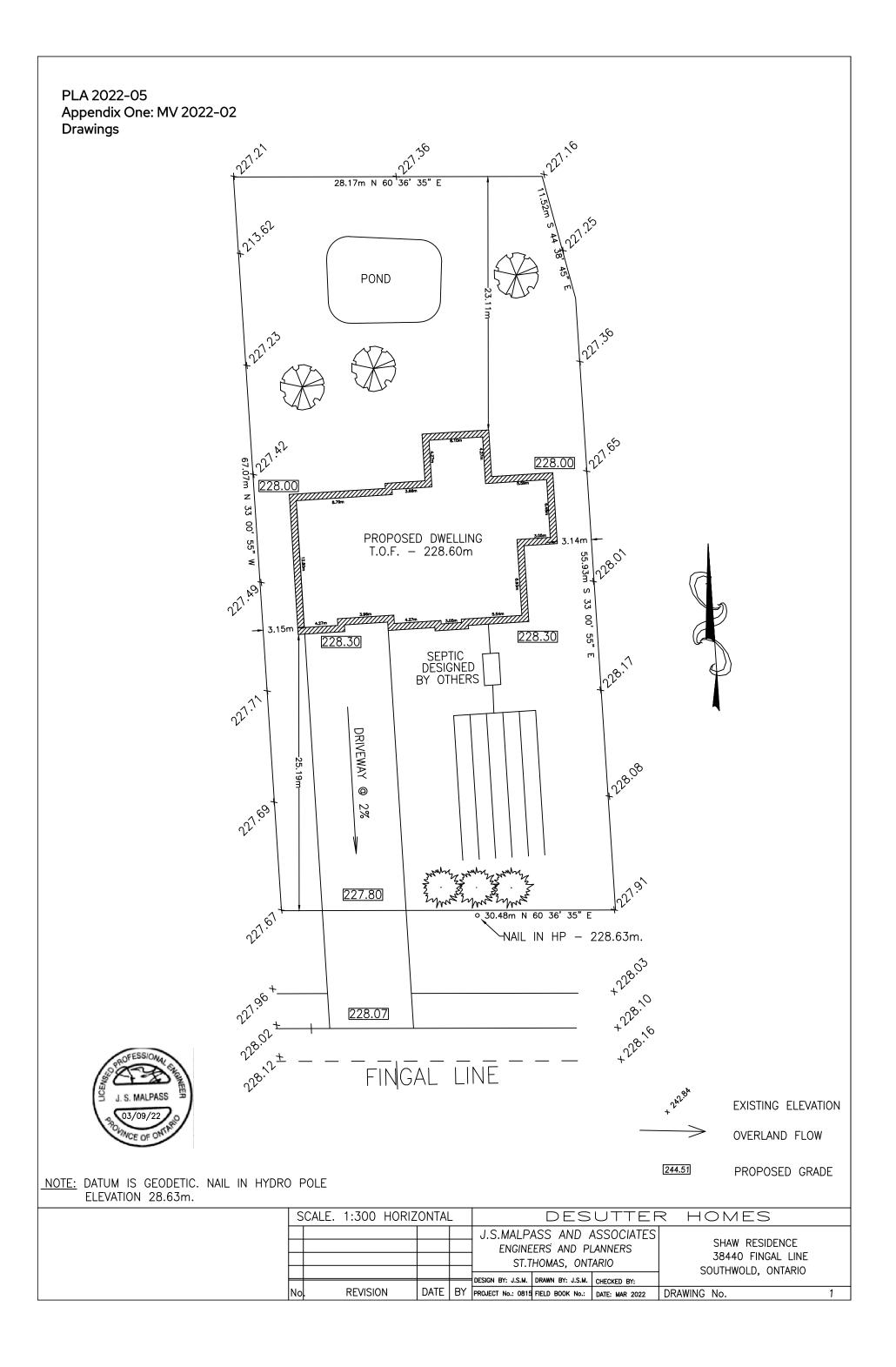
There will be a 20 day appeal period from the Decision in which the Notice will be sent out within 10 days of the Decision. Any appeals received by the Township of Southwold will be forwarded to the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) for a hearing, in accordance with the *Planning Act*.

Respectfully submitted by: Heather James, MES (Pl.), MCIP, RPP Planner

> Approved for submission by: Lisa Higgs CAO/Clerk

#### Appendix:

1. Appendix One: Minor Variance Application MV 2022-02 Drawing





# LEFT ELEVATION

Scale 1/4"-1'-0"

# LINTEL SCHEDULE FOR MASONARY VENEERS as per 9.20.5.2B 2016 OBC

as per 9.20.5.2B 2016 OBC				
	BRICK	STONE		
3 1/2"X 3 1/2" X 1/4	k'' 8'-1''	7'-9"		
4"X 3 1/2" X 1/4"	8'-9"	8'-2"		
4 7/8"X 3 1/2" X 5/1	6" 10'-10"	10'-1"		
4 7/8"X 3 1/2" X 3/8	3" 11'-5"	10'-8"		
4 7/8"X 3 1/2" X 1/2	2" 11'-9"	10'-11"		
5 7/8"X 3 1/2" X 3/8	3" 12'-7"	11'-8"		
5 7/8"X 3 1/2" X 1/2	2" 13'-5"	12'-5"		
5 7/8"X 4" X 1/2"	13'-6"	12'-7"		
7 1/8"X 4" X 3/8"	14'-1"	13'-1"		
7 1/8"X 4" X 1/2"	15'-1"	14'-0''		



#### GENERAL NOTES:

FOUNDATION PLAN NOTES:

BCIN: 22052

- ALL DIMENSIONS TO EXTERIOR FOUNDATION WALLS
- 2. ALL FOOTINGS SHALL BEAR DIRECTLY ON UNDISTURBED SOIL. (ASSUMED SOIL BEARING CAPACITY- 2500 P.S.F.)
- 3. APPROVED GRANULAR FILL SHALL BE COMPACTED IN 6" LAYERS TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY.
- ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM 4'-0" BELOW FINISHED GRADE TO PROTECT FROM FROST ACTION.
- CONCRETE FOR FLOOR SLABS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa. ALL OTHER CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa UNLESS OTHERWISE SPECIFIED. (6% AIR / 4" SLUMP)
- 6. REINFORCING STEEL TO HAVE MINIMUM 1 1/2" COVER, MAXIMUM 2" COVER AT BOTTOM OF SLAB.

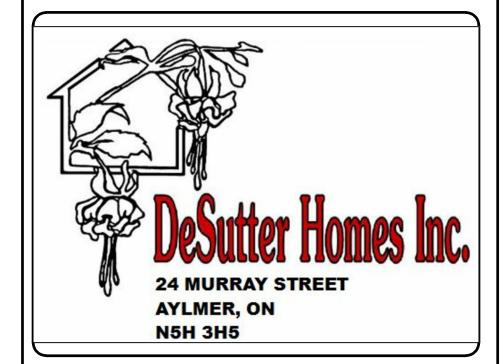
I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C.

I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall

	SQUARE FOOTAGE
MAIN FLOOR	1629 SQ.FT.
UPPER FLOOR	1235 SQ.FT.
GARAGE	1200 SQ.FT.

	•		$\overline{}$
REV.#	DATE:	DESCRIPTION:	
4			
3			
2			
1	02/07	PERMIT ISSUE	





\*PROPERTY OF VIEW-IT DESIGN\*

VIEW-IT DESIGN
RR# 1 PORT BURWELL

OFFICE: 851-1173
FAX: 874-4509

SHAW RESIDENCE 38440 FINGAL LINE ST. THOMAS, ON

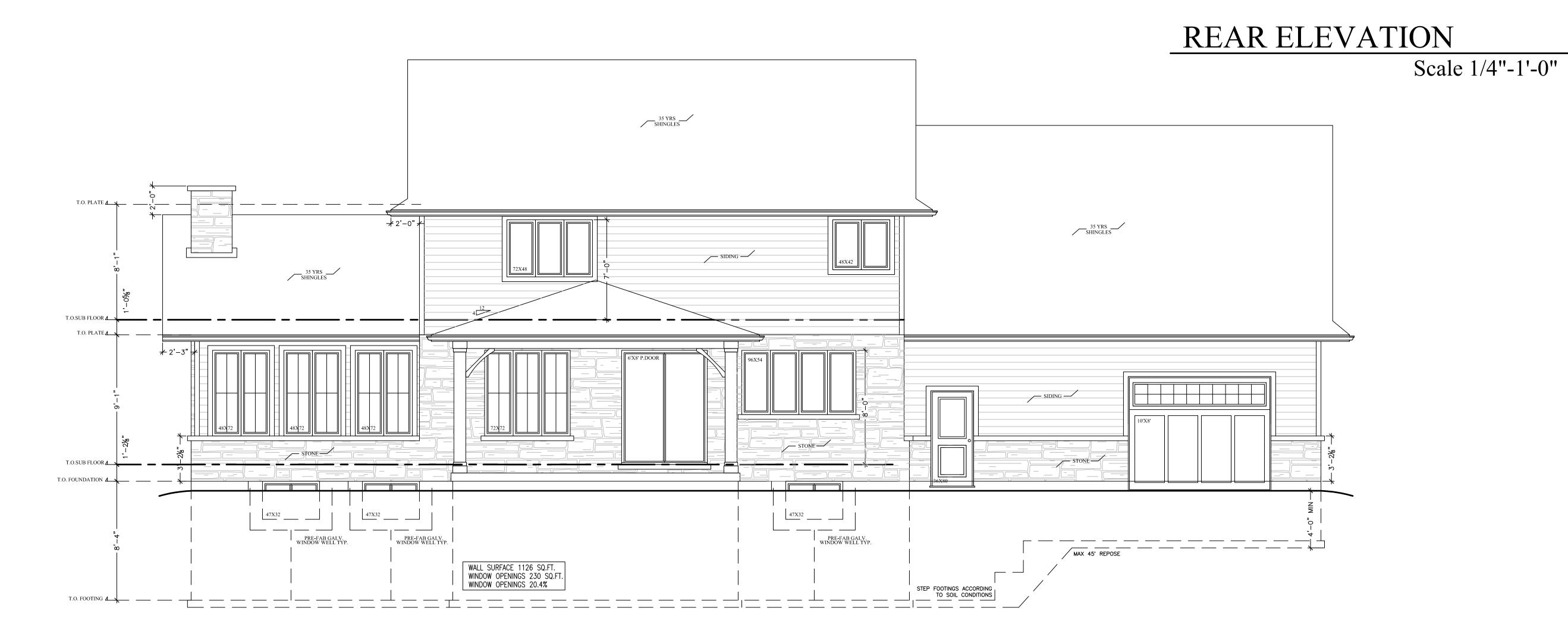
PROPOSED HOUSE PLANS

**ELEVATIONS** 

DRAWN BY: TONY WALL SCALE: SEE DWG
BCIN: 29620 PO# 2222

DATE: FEB 2022 SHEET NO. 4 OF 7

A4

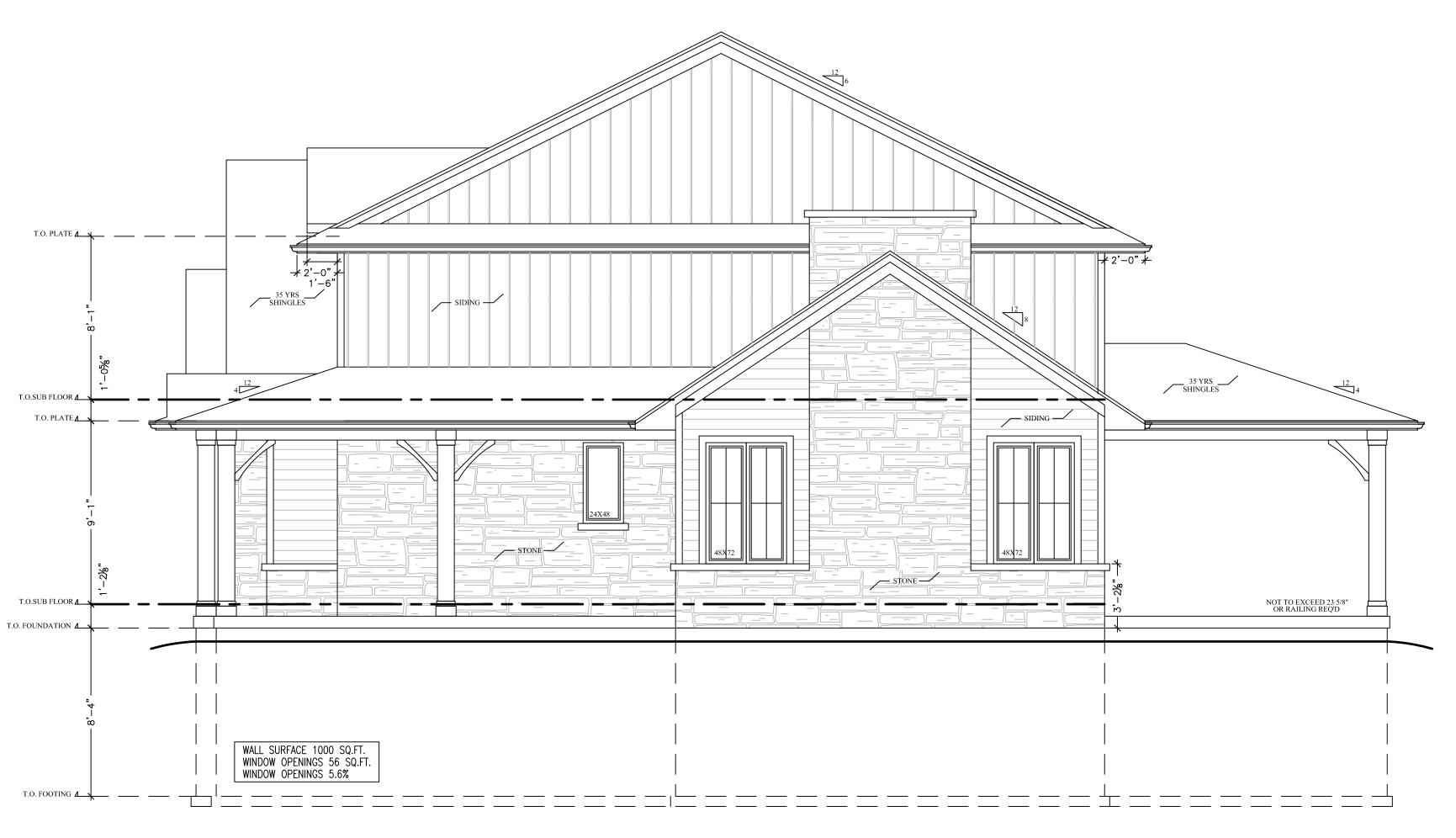


# RIGHT ELEVATION

Scale 1/4"-1'-0"

# LINTEL SCHEDULE FOR MASONARY VENEERS as per 9.20.5.2B 2016 OBC

as per 9.20.5.2B 2016 OBC				
	BRICK	STONE		
3 1/2"X 3 1/2" X 1/4"	8'-1"	7'-9"		
4"X 3 1/2" X 1/4"	8'-9"	8'-2"		
4 7/8"X 3 1/2" X 5/16"	10'-10"	10'-1"		
4 7/8"X 3 1/2" X 3/8"	11'-5"	10'-8"		
4 7/8"X 3 1/2" X 1/2"	11'-9"	10'-11"		
5 7/8"X 3 1/2" X 3/8"	12'-7"	11'-8"		
5 7/8"X 3 1/2" X 1/2"	13'-5"	12'-5"		
5 7/8"X 4" X 1/2"	13'-6"	12'-7"		
7 1/8"X 4" X 3/8"	14'-1"	13'-1"		
7 1/8"X 4" X 1/2"	15'-1"	14'-0"		



#### GENERAL NOTES:

**FOUNDATION PLAN NOTES:** 

BCIN: 22052

- ALL DIMENSIONS TO EXTERIOR FOUNDATION WALLS
- 2. ALL FOOTINGS SHALL BEAR DIRECTLY ON UNDISTURBED SOIL. (ASSUMED SOIL BEARING CAPACITY- 2500 P.S.F.)
- 3. APPROVED GRANULAR FILL SHALL BE COMPACTED IN 6" LAYERS TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY.
- 4. ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM 4'-0" BELOW FINISHED GRADE TO PROTECT FROM FROST ACTION.
- CONCRETE FOR FLOOR SLABS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa. ALL OTHER CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa UNLESS OTHERWISE SPECIFIED. (6% AIR / 4" SLUMP)
- . REINFORCING STEEL TO HAVE MINIMUM 1 1/2" COVER, MAXIMUM 2" COVER AT BOTTOM OF SLAB.

I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C.

I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall

	SQUARE FOOTAGE
MAIN FLOOR	1629 SQ.FT.
UPPER FLOOR	1235 SQ.FT.
GARAGE	1200 SQ.FT.

	REV.#	DATE:	DESCRIPTION:
	4		
	3		
	2		
	1	02/07	PERMIT ISSUE





\*PROPERTY OF VIEW-IT DESIGN\*

VIEW-IT DESIGN
RR# 1 PORT BURWELL

OFFICE: 851-1173
FAX: 874-4509

SHAW RESIDENCE 38440 FINGAL LINE ST. THOMAS, ON

PROPOSED HOUSE PLANS

**ELEVATIONS** 

DRAWN BY: TONY WALL SCALE: SEE DWG
BCIN: 29620 PO# 2222

DATE: FEB 2022
SHEET NO. 5 OF 7

A5