

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD



# **A G E N D A**

**Monday April 8, 2024**

**COMMITTEE OF ADJUSTMENT**

**7:15 p.m., Council Chambers, Fingal/Via Video Link**

- 
1. CALL TO ORDER
  2. ADDENDUM TO AGENDA
  3. DISCLOSURE OF PECUNIARY INTEREST
  4. ADOPTION OF MINUTES
    - (a) Minutes of Committee of Adjustment meeting of June 26, 2023
  5. NEW BUSINESS
    - (a) Minor Variance Application MV 2024-01 Farhi Holdings Corp., C/O Sandra Congdon, Strik, Baldinelli, Moniz Ltd., 7 Optimist Drive
    - (b) Minor Variance Application MV 2024-02, Wilmore C/O Nicole McDowell, Due North Design & Drafting Inc., 8934 Iona Road
  6. ADJOURNMENT



Meeting of the Committee of Adjustment  
Monday June 26, 2023  
Council Chambers, Fingal/Via Video Link

MEMBERS PRESENT: Chairperson: Deputy Mayor Justin Pennings  
Members: Mayor Grant Jones (virtual)  
Councillor John Adzija (virtual)  
Councillor Scott Fellows

Township Administration Present: Jeff Carswell, Secretary-Treasurer  
Josh Mueller, Planner

**C of A 2023-05      MOVED BY: Member Fellows**  
**SECONDED BY: Member Jones**

**THAT** the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2023-02, filed by Kreator Developments Inc. C/O MP Custom Homes, 18 Rea Court at **7:30 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Fellows	√	
G. Jones	√	
J. Pennings-Chairperson	√	

**CARRIED**

**C of A 2023-06      MOVED BY: Member Fellows**  
**SECONDED BY: Member Jones**

**THAT** the minutes from the Committee of Adjustment meeting of May 23, 2023 are hereby adopted.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Fellows	√	
G. Jones	√	
J. Pennings-Chairperson	√	

**CARRIED**

The Chairperson called the meeting to order. This application for a Minor Variance is requested to encroach into a storm water easement further than what is permitted in the Zoning By-law. The applicant is seeking a 5.0 m setback from the easement. Under the Zoning By-law, the applicant is proposing to seek relief from "Section 3.26: no buildings or structures, with the exception of a building designed, used, or intended for flood or erosion control purposes or for road purposes, shall be erected or used:

- (a) Closer than 7.5 m (25 ft.) from the centerline of an enclosed municipal tile drain or such greater distance as specified in the most current Drainage By-law approved under the Drainage Act; the applicant is requesting a 5.0m (16.40 feet) setback."

The Chairperson asked the Committee if any member has a disclosure of interest concerning the Minor Variance application. None were disclosed.

The Chairperson asked the Secretary-Treasurer what method of notice and when was the notice given to the public for this hearing. The Secretary-Treasurer responded that a sign was posted on the property prior to the June 16<sup>th</sup>, 2023 deadline and notices were mailed to property owners within 60 metres on June 6<sup>th</sup>, 2023.

Planner Josh Mueller presented his report.

The Chairperson asked if any members of the Committee had any questions on the Planning Report. No questions were asked.

The Chairperson asked the Secretary-Treasurer if any comments were received from staff. The Secretary-Treasurer responded yes. Comments received from Township staff are included in Planning Report PLA 2023-23.

The Chairperson asked if any written submissions were received on this application. The Secretary-Treasurer responded that no written comments were submitted.

No other questions were asked by the Committee or the public.

**C of A 2023-07    MOVED BY: Member Fellows  
SECONDED BY: Member Jones**

**THAT** the Committee of Adjustment of the Township of Southwold receive Report PLA 2023-23 regarding Minor Variance Application MV 2023-02 filed by Kreator Developments Inc. C/O MP Custom Homes, 18 Rea Court; and

**THAT** the Committee of Adjustment approves the proposed Minor Variance to obtain relief from Section 3.26 Minimum Distance from Municipal Drains and Natural Watercourses in accordance with the

site-specific decision sheet attached to the minutes of this meeting.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Fellows	√	
G. Jones	√	
J. Pennings-Chairperson	√	

**CARRIED**



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

**DECISION SHEET**

\*\*\*\*\*

**Application No.** MV 2023-02  
**Date of Hearing:** June 26, 2023  
**Owner/Applicant:** Kreator Developments Inc.  
**Agent:** MP Custom Homes  
**Description:** PLAN 11M243 LOT 11 11R10656 PART 1 11R10610 PARTS 1 AND 2  
**Municipal Address:** 18 Rea Court

**Lot Description:**

<b>Existing Lot Area</b>	0.14 Ha (0.06 Ac)
<b>Existing Lot Frontage</b>	18.38 metres (60.30 feet)
<b>Existing Lot Depth</b>	49.00 metres (160.76feet)

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 3.26 : no buildings or structures, shall be erected or used

- (a) Closer than 7.5 m (25 ft.) from the centerline of an enclosed municipal tile drain or such greater distance as specified in the most current Drainage By-law approved under the Drainage Act. The applicant is requesting a 5.0m (16.40 feet) setback.

**Decision:**

The application is hereby **approved**.

Reasons for approval, in accordance with Report PLA 2023-23:

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

The effect of written and oral submissions on the Decision is contained within Report PLA 2023-23 and the minutes of the Committee of Adjustment Meeting of June 26, 2023.

MV 2023-02  
**TOWNSHIP OF SOUTHWOLD**  
**COMMITTEE OF ADJUSTMENT DECISION**  
**PAGE 2 OF 3**

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 26<sup>th</sup> day of June 2023.

<b>RECORDED VOTE</b>	<b>TO GRANT</b>	<b>TO REFUSE</b>	<b>Absent</b>	<b>Present</b>
Committee Member, John Adzija	<u>✓</u>	_____	( )	(✓)
Committee Member, Scott Fellows	<u>✓</u>	_____	( )	(✓)
Committee Member, Sarah Emons	_____	_____	(✓)	( )
Chairperson and Committee Member, Grant Jones	<u>✓</u>	_____	( )	(✓)
Committee Member, Justin Pennings	<u>✓</u>	_____	( )	(✓)

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

I, Jeff Carswell, 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 26<sup>th</sup> day of June, 2023.

Jeff Carswell  
Secretary-Treasurer

June 26, 2023  
Date

\*\*\*\*\***NOTICE OF LAST DATE OF APPEAL**\*\*\*\*\*

NOTICE IS HEREBY GIVEN THAT THE LAST DATE FOR APPEALING THIS DECISION TO THE ONTARIO LAND TRIBUNAL (OLT) IS THE **17<sup>th</sup> DAY OF JULY 2023**.

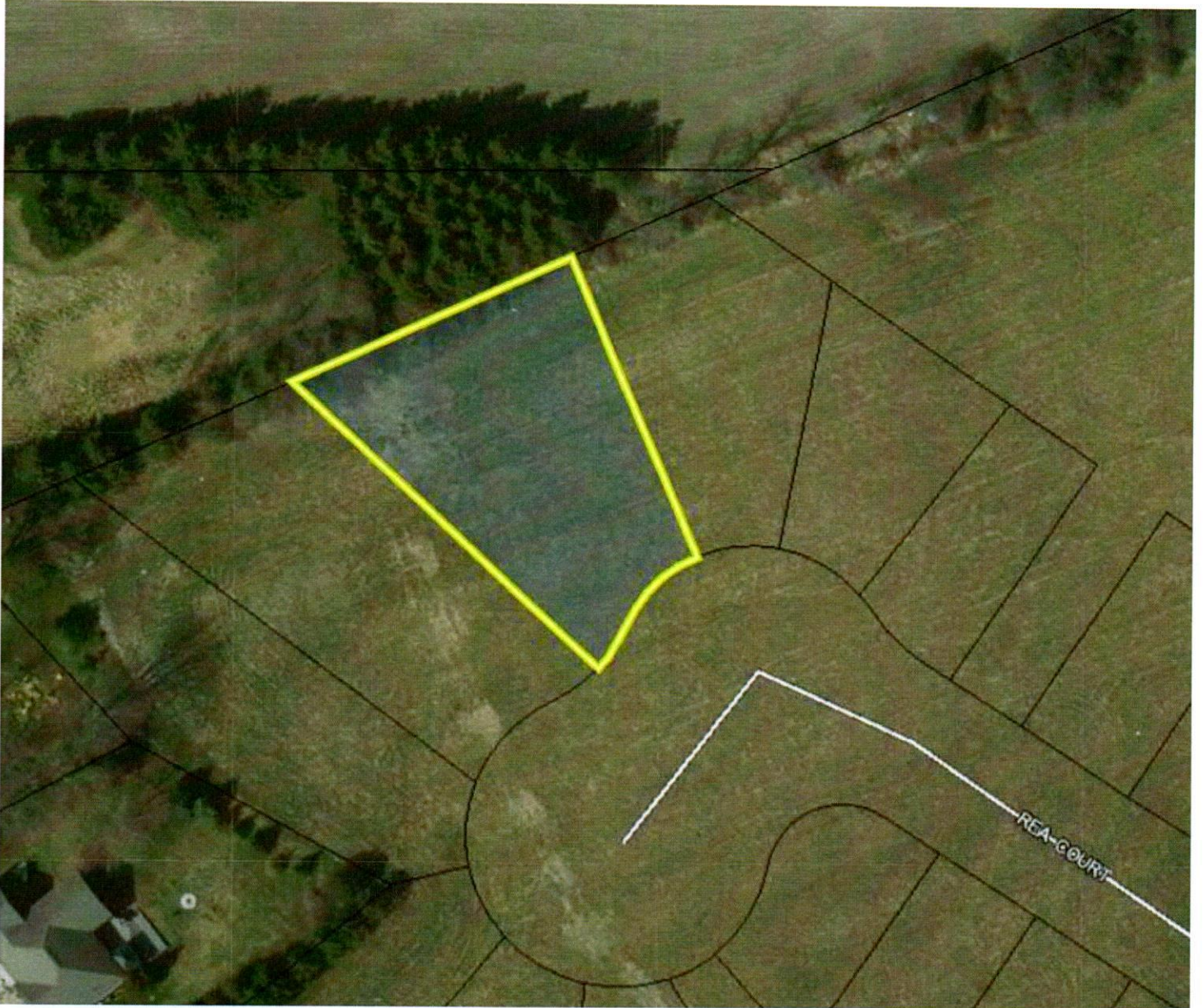
The decision of the Committee may be appealed to the Ontario Land Tribunal (OLT) by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal and a copy of an appeal form which is available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal as payable on an appeal from the Committee of Adjustment to the Tribunal.

Josh Mueller, Planner  
Township of Southwold  
35663 Fingal Line  
Fingal, Ontario  
N0L 1K0



Phone: 519-769-2010  
Email: [planning@southwold.ca](mailto:planning@southwold.ca)

**Schedule A: Subject Area Map 18 Rea Court – MV 2023-02**



The Chairperson stated that please be advised that the last day for appealing this decision is July 17<sup>th</sup>, 2023. 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 by the applicant or another member of the public.

**C of A 2023-08    MOVED BY: Member Fellows**  
**SECONDED BY: Member Jones**

**THAT** the meeting of the Committee of Adjustment to hear application MV 2023-02, filed by Kreator Developments Inc. C/O MP Custom Homes, 18 Rea Court adjourns and the regular meeting of council reconvenes at **7:37 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Fellows	√	
G. Jones	√	
J. Pennings-Chairperson	√	

**CARRIED**

Chairperson

Secretary-Treasurer





## **TOWNSHIP OF SOUTHWOLD**

### Report to Council

**MEETING DATE:** April 8, 2024  
**PREPARED BY:** Danielle Truax, Planner  
**REPORT NO:** PLA 2024-03  
**SUBJECT MATTER:** **Minor Variance Application MV 2024-01**  
Block 177, Plan 11M-266 (Talbotville Meadows Phase 2)  
7 Optimist Drive  
Fahri Holdings Corporation

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#### **Recommendation(s):**

THAT the Committee of Adjustment for the Township of Southwold receive Planning Report PLA 2024-03 regarding Minor Variance Application MV 2024-01; and

THAT the Committee of Adjustment for the Township of Southwold grant the requested Minor Variances applicable to Block 177, Plan 11M-266 to obtain relief from the provisions of Section 8.2 Residential 1 (R1) Zone of Zoning By-law 2011-14, as amended to permit the following:

1. Establish front, side and rear lot lines to be measured from the boundary of abutting public and private roads;
2. Reduce the required exterior side yard setback from 6m to 4.0m;
3. Permit a rear yard setback of 5.7m for the existing dwelling being Unit 9;
4. Establish front, interior and rear lot lines for Unit 8; and
5. Increase the permitted lot coverage for each lot from 40% to 45%.

#### **Purpose:**

Minor Variance Application No. 2024-01 seeks to obtain relief from the provisions of the Residential 1 (R1) Zone which will allow the construction of single detached dwellings on individual lots within a future vacant land Plan of Condominium. Specifically, the variance will establish a number of provisions which will apply to the entire Block 177 or to a specific unit, as shown on the Site Plan attached as Appendix 1 to this report.

Specifically, the variance will consider the following:

1. Establish front, side and rear lot lines to be measured from the boundary of abutting public and private roads;

- a. This provision will apply to all lots.
- b. This provision will be applied to Unit 8 in the following manner:
  - i. Lot lines abutting Units 7 and 9 will be considered interior lot lines;
  - ii. Lot Line abutting the proposed Beechgrove Gardens private roadway will be considered a front lot line.
  - iii. Lot Lines abutting Block 182 will be considered interior side yard and rear lots lines as depicted on the Appendix 3 to this report and to be attached as Schedule A to any decision of the Committee of Adjustment.
2. Reduce the required exterior side yard setback from 6m to 4.0m;
  - a. This provision will apply to Unit 4 and Unit 9.
3. Permit a rear yard setback of 5.7m for the existing dwelling being Unit 9; and
4. Increase the permitted lot coverage for each lot from 40% to 45%.
  - a. This provision will apply to all lots.

Minor Variance Application No. MV 2024-01 was submitted together with the Planning Justification Report (PJR) prepared by Sandra Congdon SBM Ltd. dated February 2024 providing support for the requested variances. Staff has reviewed the PJR and is in agreement with the planning opinion provided in support of the requested variances.

**Background:**

The subject property is located within the Talbotville Settlement Area and is designated for Residential Land Use in the Official Plan (OP), as shown on Schedule 4A. Block 177, Plan 11M-266 is found in Phase 2 of Talbotville Meadows Plan of Subdivision and is shown in red on the key map below. Phase 2 was recently considered by Council as part of Plan of Subdivision application 34T-SO2302 presented in Planning Report PLA 2023-33. The draft approval of Phase 2 was recommended for approval by Southwold Council subject to the completion of the Township conditions which were attached to the Notice of Decision issued by the County on January 9, 2024.

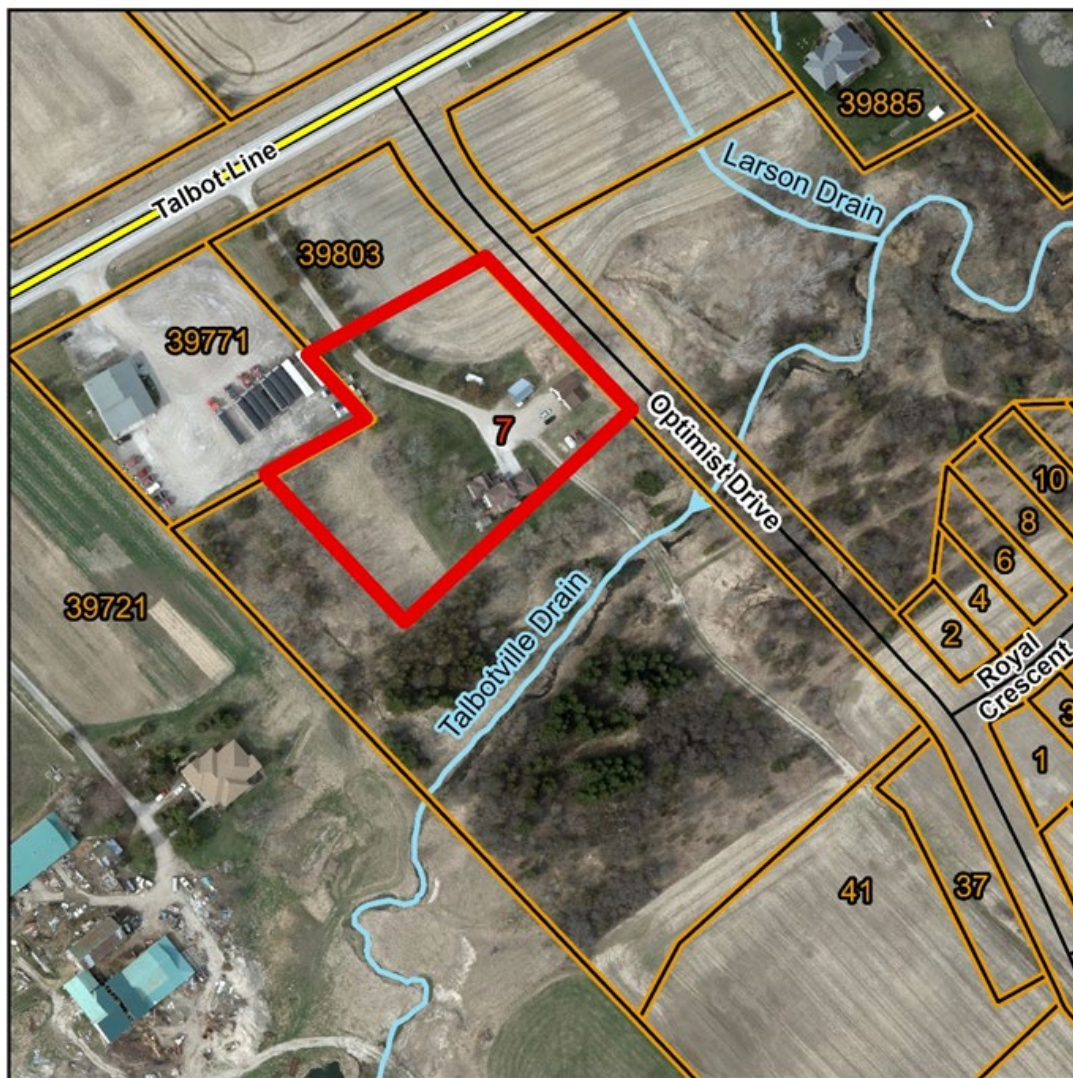
Fahri Holdings Corporation has satisfied all conditions assigned to the draft approval of Phase 2, including entering into an agreement with the Township for the development. The plan of subdivision was issued final approval and registered Plan 11M-266 in March 2024. A copy of Registered Plan 11M-266 has been attached to this report as Appendix 2 for reference.

Block 177, Plan 11M-266 is zoned Residential 1 (R1) as shown on Schedule A, Map 12, under Zoning By-law 2011-14, as amended. The lands are located in an area serviced by municipal water, a municipal sanitary collection system with wastewater treatment,

municipal drain(s), and a municipal stormwater management system including collection system and management pond.

Site Plan Application SPC 2023-02 was submitted by the applicant for the development of Block 177 as shown on the attached site plan, including the layout of Units 1-11. It is intended that upon the approval of the site plan, which includes entering into a site plan agreement with the Township, a subsequent Plan of Condominium will be submitted to Elgin County. The vacant land condominium will permit the development 10 vacant lots and one lot including the existing single detached dwelling. Each lot complies with the minimum lot area, lot frontage and parking requirements of the R1 zone. The requested variance is to recognize the necessary exceptions to permit the intended development of single detached dwellings as shown on Appendix 1.

### Key Map of Block 177, Plan 11M-266



**Comment/Analysis:**

Notices for the consideration of MV 2024-01 were circulated in accordance with the applicable regulations of the Planning Act, including the delivery of the Notice of Public Hearing to all property owners within 60m of the subject property and the posting of signage on the property.

Planning has had an opportunity to review Minor Variance Application MV 2024-01 and comments received from internal staff, external agencies, and members of the public.

MV 2024-01 was submitted as a result of the staff comments provided in review of SPC 2023-02 for the development of Block 177, 11M-266. Further comments of staff will be addressed as part of the consideration of SPC 2023-02 prior to the issuance of any building permits or site alteration.

**Planning:**

The application has been reviewed with respect to the relevant policies of the Provincial Policy Statement (2020) and the Elgin County Official Plan. The subject property is located within the designated Tier Two settlement area of Talbotville. The proposed residential use represents an appropriate level of development based on available services. Matters relating to provincial interest were fully considered as part of Plan of Subdivision Application 34T-SO-2302. The proposed variance is consistent with and conforms to the applicable policies for the development of lands within a designated settlement area.

When presented with a Minor Variance, the Committee of Adjustment must be satisfied the application meets the "Four Tests" of subsection 45(1) of the Planning Act, as follows:

1. **Meets the general intent of the Official Plan** - The subject property is designated for residential land use as shown on Schedule 4A of the Southwold Official Plan (2021). The lands are located within a fully serviced settlement area which are to be the focus of growth. The requested variances will permit the development of permitted single detached dwellings in an orderly manner representing an efficient use of land.

The proposed variance meets the intent of the Official Plan and will allow the use of designated lands for the permitted residential use.

2. **Meets the general intent of the Zoning By-law** - The proposed variances will permit the construction of single detached dwellings in a manner that is in keeping with the character of compact urban development on full municipal



services. The proposed variances reflect the necessary exemptions to the provisions of Zoning By-law 2011-14, as amended to allow for the efficient use of land based on the proposed lot layout as shown on the Site Plan attached as Appendix 1.

- **Interpretation of lots and lot lines on a private street**

The proposed variances will establish the interpretation of lot boundaries for properties fronting on a private road established by way of Plan of Condominium. The definition of street which is used to establish lot frontage does not contemplate lots fronting on a private roadway. MV 2024-01 proposes to establish that the lot frontage, boundaries and setbacks will be based on the extent of the private roadway, showing as Beechgrove Gardens on the site plan attached as Appendix 1. This interpretation is consistent with the intent of the Zoning By-law to establish and maintain appropriate setbacks for the proposed residential development.

- **Interpretation of lot lines on a private street for Unit 8**

The interpretation of lot lines is further clarified for Unit 8 due to the irregular configuration of the lot. Lot lines and setbacks shall be interpreted as shown on Schedule A to be attached to any decision of the Committee of Adjustment and attached as Appendix 3 to this report. This interpretation is consistent with the interpretation of the definition of the various lot lines, yards and street of Zoning By-law 2011-14, as amended. The intended lot lines and setbacks maintain the setbacks and required yards of the Zoning By-law.

- **Recognizing dwelling setbacks for the existing single detached dwelling for Unit 9**

The variance will recognize the resulting setbacks for the existing single detached dwelling on Unit 9, including the existing rear yard setback of 5.7m and proposed exterior side yard setback of 4.0m. The proposed setbacks are appropriate to ensure the normal use and enjoyment of Unit 9 and are not expected to result in any negative impacts to the surrounding lands.

- **Proposed increased lot coverage for all lots**

The proposed increased lot coverage can be supported and has been included in the calculations used to prepare the required Storm Water Management Plan. The proposed increase in lot coverage is consistent with the style of residential units typically built in urban developments and will not negatively impact the use of the properties or the functioning of the infrastructure.

- **Proposed reduction to required exterior side yard setback for Units 4 and 9**

The reduction to the exterior side yard setbacks will not impact the normal use and enjoyment of Units 4 and 9. The reduction will not negatively impact the functioning of the private roadway and is adequate to allow for normal traffic and maintenance without impeding the residential use.

The reduced side yard is appropriate when applied to setbacks for accessory structures on the subject property. The proposed variance meets the intent of the Zoning By-law to establish appropriate building envelopes for the proposed residential use.

3. **Desirable for appropriate use of the Property** –The proposed variances will permit development which is appropriate and desirable for the area.
4. **Minor in Nature** – Despite the requested number of exemptions to the Zoning By-law required by MV 2024-01, the variance is considered minor in nature and provides clarity on the interpretation of the provisions of the Zoning By-law. The variances are expected to be negligible with respect to the surrounding environment, servicing functions and eventual use of the lands by future owners.

No additional comments were received from external agencies including the Kettle Creek Conservation Authority or members of the general public prior to the preparation of this report.

### **Conclusion:**

Subject to receiving further questions and comments from the Committee of Adjustment and members of the public, Staff is in a position to state that the application, as proposed:

- i. Is in keeping with the general intent of the Official Plan.
- ii. Is in keeping with the general intent of Zoning By-law 2011-14, as amended, for the Township of Southwold.
- iii. Is desirable and will result in the appropriate development of the area
- iv. Is minor in nature not causing any adverse impact that may result from granting this application

Upon the Committee of Adjustment making a decision, the required Notice of Decision for the Minor Variance will be circulated within 15 days of the meeting. There is a 20 day appeal period during which objections to the decision can be submitted to the Ontario Land Tribunal. The Committee of Adjustment should be able to demonstrate why the

application does or does not meet the four tests for a minor variance under the Planning Act and state those reasons in making a decision.

**Financial Implications:**

There are no significant financial implications related to the consideration of Minor Variance Application MV 2024-01.

**Strategic Plan Goals:**

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☒ Managed Growth
- ☒ Welcoming and Supportive Neighbourhoods
- ☒ Economic Opportunity
- ☒ Fiscal Responsibility and Accountability

**Respectfully submitted by:**  
**Danielle Truax**  
**Planner**  
**"Submitted Electronically"**

**Approved by:**  
**Lisa Higgs**  
**CAO/Clerk**  
**"Approved Electronically"**

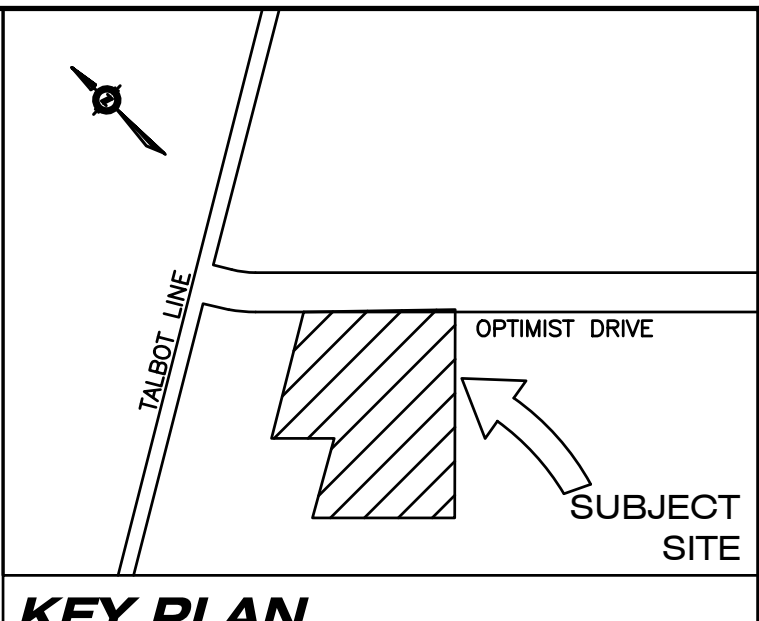
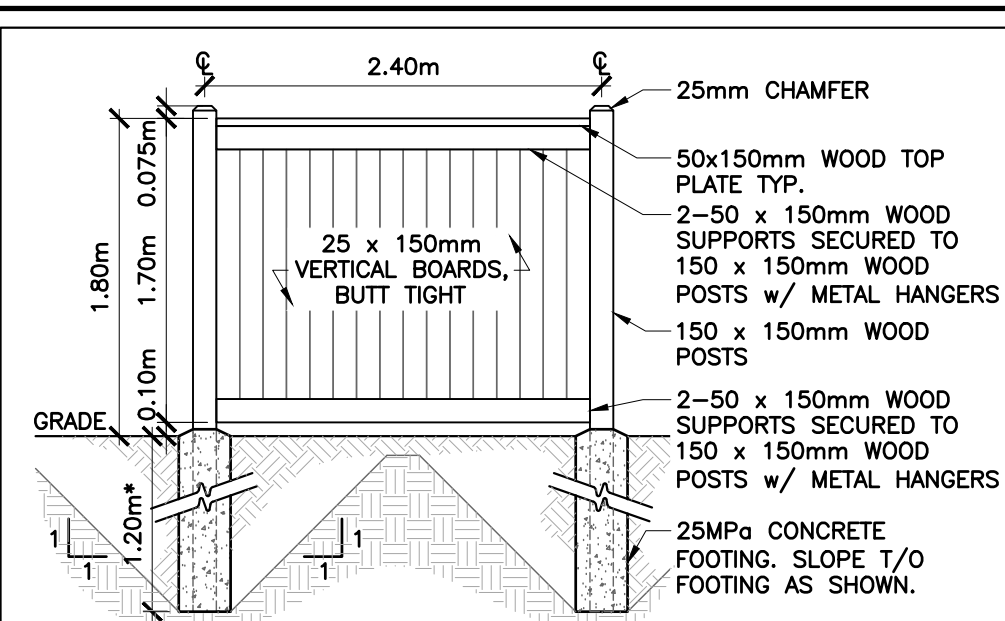
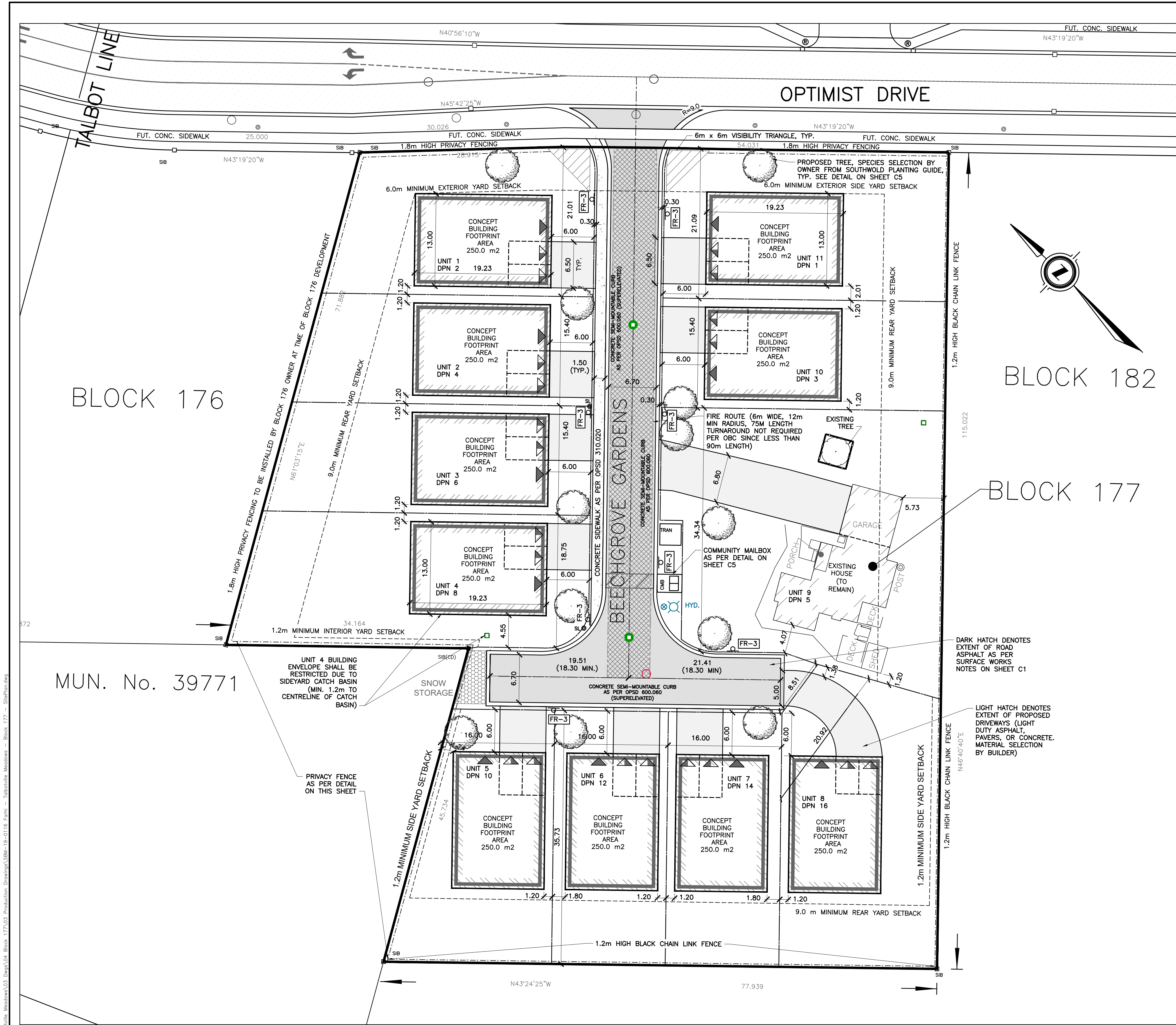
**Appendix**

Appendix 1 – Site Plan

Appendix 2 – Plan 11M-266

Appendix 3 – Proposed Schedule A to MV 2024-01





**ZONING DATA CHART**

GROSS SITE AREA: 9,675.6 m<sup>2</sup>

ITEM	R1	REQUIRED	PROVIDED
1	PERMITTED USES	SEE PERMITTED USE NOTE ON SHEET SP1	SEE PERMITTED USE NOTE ON SHEET SP1
2	LOT FRONTAGE (m MIN)	15.0	15.4 MIN.
3	FRONT YARD SETBACK (m MIN)	6.0	6.0
4	REAR YARD SETBACK (m MIN)	9.0	9.0 UNIT 9 - 5.7m*
5	INTERIOR SIDE YARD SETBACK (m MIN)	1.2	1.2
6	EXTERIOR SIDE YARD SETBACK (m MIN)	6.0	4.0*
7	LOT AREA (m <sup>2</sup> MIN)	450.0m <sup>2</sup>	571.6m <sup>2</sup>
8	LOT COVERAGE (%) MAX	40	45*
9	HEIGHT MAXIMUM (m)	12	<12
10	VEHICLE PARKING	2 SPACES/UNIT	MIN. 4 PER UNIT (2 IN GARAGE, 2 IN DRIVEWAY)

\*ZONING DEFICIENCY

**SITE BENCHMARK:**

**MONUMENT #1:**

NAME: 00819648018

TYPE: TABLET

LOCATION: 1-1/2 STOREY BRICK HOUSE ON WEST SIDE OF GRAVEL RD RUNNING SOUTH FROM END OF HWY 4 CURVE IN TALBOTVILLE, 0.3km SOUTH OF THE JCT OF HWYS 3 AND 4. TABLET IS SET HORIZONTALLY IN SOUTH FACE OF CONCRETE FOUNDATION, 2.07m WEST OF NORTHEAST CORNER AND 55cm BELOW BRICKWORK

GEODETIC ELEVATION: 233.346m

**MONUMENT #2:**

NAME: 00819658064

TYPE: TABLET

LOCATION: ONE STOREY RED BRICK ANTIQUE SHOP ON THE EAST SIDE OF HWY 4, 0.6km NORTH OF THE JCT OF HWYS 3 AND 4 IN TALBOTVILLE. TABLET IS SET HORIZONTALLY IN THE NORTH FACE OF CONCRETE FOUNDATION OF ADDITION, 43.6m EAST OF CENTRE LINE OF PAVEMENT, 3.6m WEST OF THE EXTREME N.E. CORNER AND 24cm BELOW THE TOP OF FOUNDATION

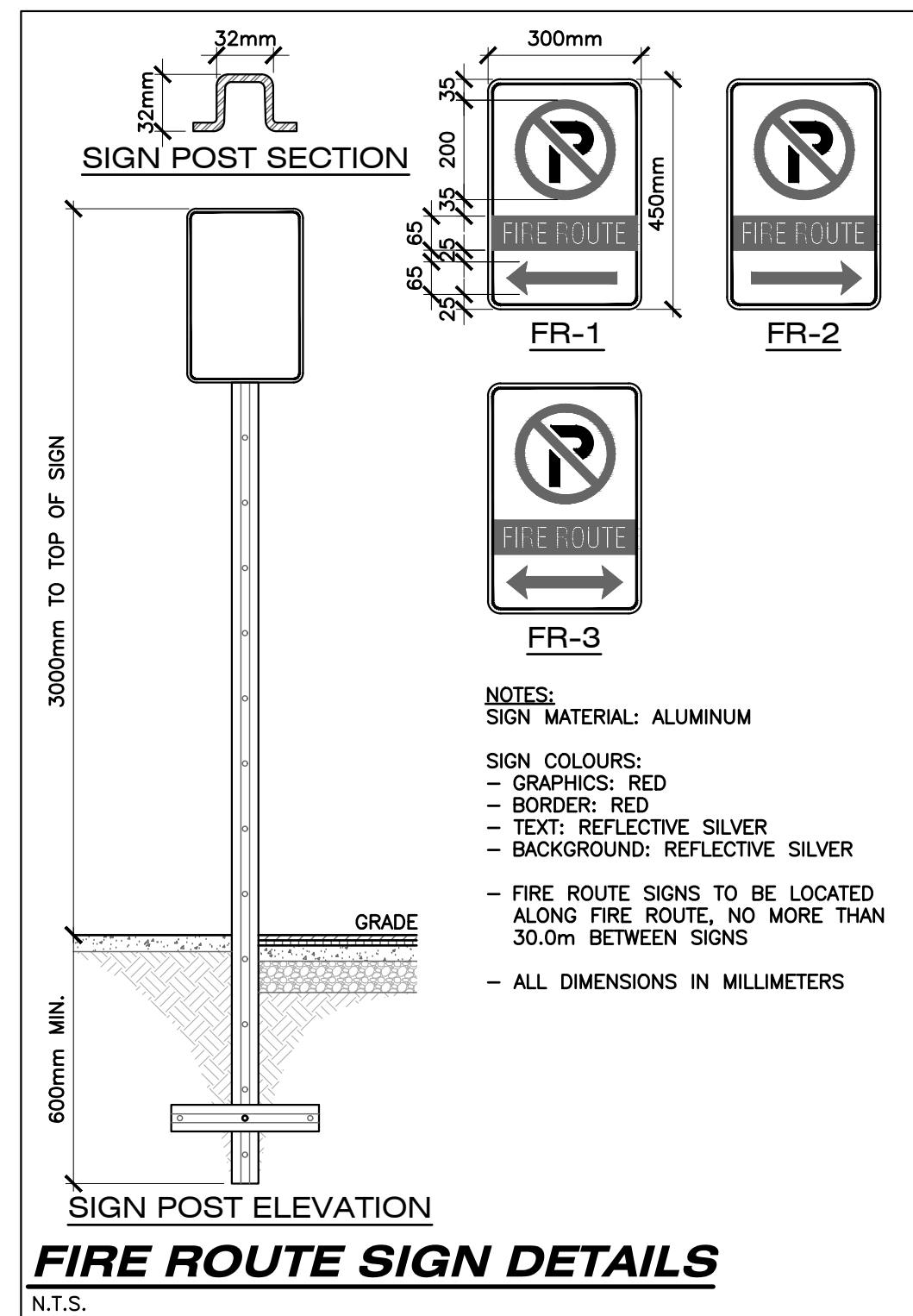
GEODETIC ELEVATION: 235.584m

**LEGEND:**

- PROPOSED SIGN, TYPE OF SIGN
- PROPOSED BARRIER FREE ROUTE
- PROPOSED FIRE ROUTE (6.0m WIDE, 12.0m RADIUS)
- PROPOSED SNOW STORAGE
- PROPOSED FIRE HYDRANT
- BUILDING ENTRANCE
- OVERHEAD DOOR
- PROPOSED LIGHT-DUTY ASPHALT
- PROPOSED HEAVY-DUTY ASPHALT
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING
- LIMITS OF SUBJECT PROPERTY
- PROPOSED TREE PRESERVATION FENCE
- EXISTING DECIDUOUS/CONIFEROUS TREE
- PROPOSED DECIDUOUS/CONIFEROUS TREE

**PERMITTED USES**

- R1 ZONE (TOWNSHIP OF SOUTHWOLD ZONING BY-LAW):
- HOME OCCUPATION
  - SINGLE DETACHED DWELLING



AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
DESIGN	MMG	1	FOR CLIENT REVIEW	06/10/23	MMG	
DRAWN	FR/MMG	2	FOR SITE PLAN APPROVAL, SUBMISSION 1	21/11/23	FR	
CHECKED	SH	3	FOR SITE PLAN APPROVAL, SUBMISSION 2	29/02/23	AV	
APPROVED	SH					
DATE	17/11/2023					
CAD	19-0116					

**STRIK BALDINELLI MONIZ**

PLANNING - CIVIL - STRUCTURAL - MECHANICAL - ELECTRICAL

1599 Adelaide St. N, Unit 301, London, Ontario, N5X 4E8

Tel: (519) 471-6667 Fax: (519) 471-0034

Email: sbm@sbmtd.ca



ENGINEER'S SEAL

SEALED FOR GENERAL CONFORMANCE WITH THE OBC AND MUNICIPAL SITE PLAN CONTROLS AND ZONING BY-LAWS

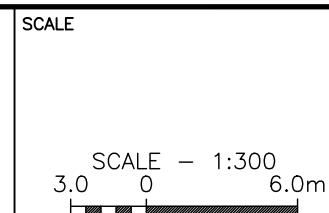
CLIENT

**FARHI HOLDINGS CORP.**

620 RICHMOND ST.  
LONDON, ON  
N6A 5J9

P: 519.645.6666

E: DEVELOPMENT@FHC.CA ; JIMB@FHC.CA



TITLE	PROJECT No.
<b>SITE PLAN &amp; ZONING CHART</b> <b>BLOCK 177, 11M-TBD</b>	<b>SBM-19-0116</b>
<b>TALBOTVILLE MEADOWS</b> <b>VACANT LAND CONDOS</b>	SHEET No. <b>SP1</b>
7 OPTIMIST DRIVE SOUTHWOLD, ON.	PLAN FILE No. —



# INTEGRATION DATA

BEARINGS ARE UTM GRID DERIVED FROM SPECIFIED CONTROL POINTS  
SCPD082006034 AND SCPD082006035, UTM-17 NAD83 (CSRS) (1997.0).

ALL DIMENSIONS SHOWN ARE MEASURED, UNLESS OTHERWISE NOTED.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99957.

SPECIFIED CONTROL POINTS (SCP's): UTM-17 NAD83 (CSRS) (1997.0)		
POINT ID	NORTHING	EASTING
SCP 082006034	4738434.824	480728.071
SCP 082006035	4738968.043	479319.043
PLAN COORDINATES, UTM ZONE 17, NAD83 (CSRS)		
1	4738707.344	479194.268
2	4738298.328	479197.607
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN		

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

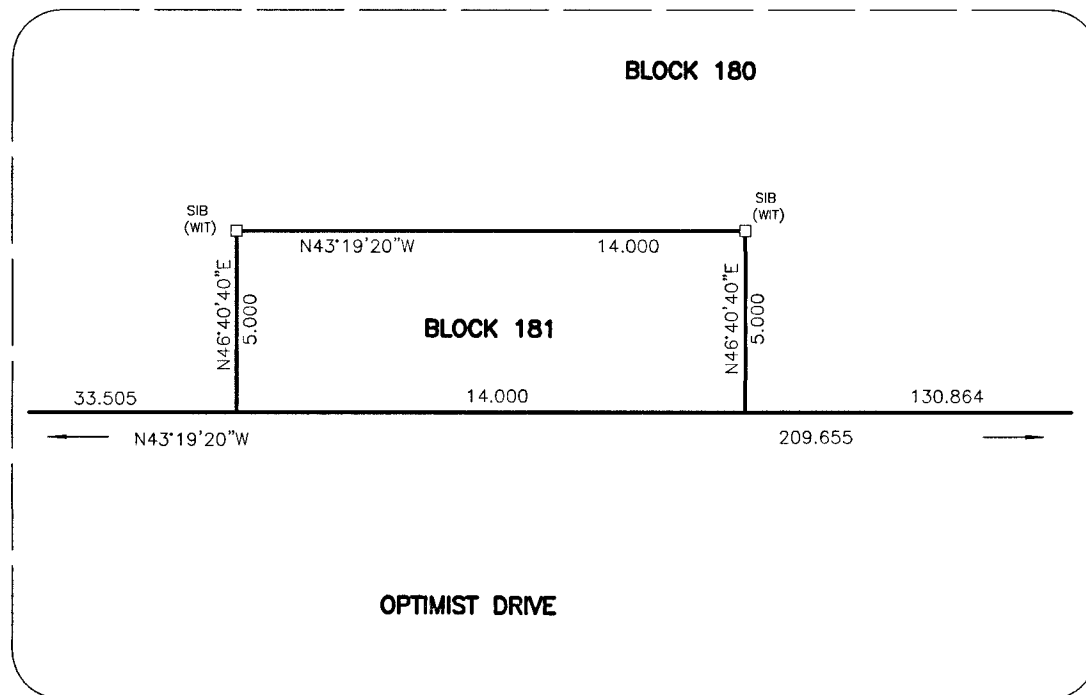
## MONUMENT NOTES

ALL SET MONUMENTS SHOWN HEREON ARE IRON BARS (8") UNLESS OTHERWISE NOTED.

## LEGEND:

- Q DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- WDB DENOTES WOODEN IRON BAR
- SCP DENOTES SPECIFIED CONTROL POINT
- WT DENOTES WITNESS
- DB DENOTES BURIED
- N DENOTES MEASURED
- S DENOTES SET
- 1017 DENOTES CALLON DIETZ, O.L.S.'s
- AGM DENOTES ARCHIBALD, GRAY & McKEAY, O.L.S.'s
- PKS DENOTES FARMING, KIRKPATRICK & STIRLING, O.L.S.'s
- WTO DENOTES MINISTRY OF TRANSPORTATION, ONTARIO
- 741 DENOTES D.L. HOUGHTON, O.L.S.
- 1130 DENOTES J.G. RUPERT, O.L.S.
- 1355 DENOTES G.B. VAUGHAN, O.L.S.
- P1 DENOTES TOPOGRAPHICAL PLAN OF SURVEY BY CALLON DIETZ DATED SEPTEMBER 9, 2018 (FILE No.: 17-21705-0) (PLAN No.: E-1073)
- P2 DENOTES PLAN 11M-249
- P3 DENOTES PLAN 11M-10773
- P4 DENOTES PLAN 11M-39
- P5 DENOTES PLAN 11M-10773

DIMENSION DETAIL - NOT TO SCALE



CURVE TABLE																								
CURVE	RADIUS	ARC	CHORD	BEARING	CURVE	RADIUS	ARC	CHORD	BEARING	CURVE	RADIUS	ARC	CHORD	BEARING	CURVE	RADIUS	ARC	CHORD	BEARING	CURVE	RADIUS	ARC	CHORD	BEARING
C1	56,000	10,014	10,000	N51°48'04"E	C13	29,000	6,832	6,816	N36°34'21"W	C25	54,500	11,046	11,027	N52°29'05"E	C37	80,000	14,345	14,326	N86°28'01"W	C49	38,500	27,295	26,727	N23°30'41"W
C2	56,000	8,321	8,313	N50°56'07"E	C14	51,000	16,234	16,166	N55°47'51"E	C26	54,500	1,793	1,793	N59°14'00"E	C38	80,000	14,345	14,326	N86°28'01"W	C50	38,500	2,052	2,052	N41°47'41"W
C3	56,000	1,693	1,693	N50°53'29"E	C15	71,000	22,800	22,500	N55°47'51"E	C27	60,000	80,114	74,293	N81°34'22"W	C39	80,000	14,345	14,326	N86°28'01"W	C51	38,500	25,243	24,793	N21°29'03"W
C4	78,000	13,590	13,572	N51°48'04"E	C16	71,000	8,099	8,086	N51°39'08"E	C28	80,000	11,904	11,795	N59°14'00"E	C40	80,000	10,713	10,705	N40°40'44"E	C52	38,500	41,476	40,812	N23°30'41"W
C5	78,000	16,637	16,617	N52°41'02"E	C17	71,000	14,510	14,485	N52°31'59"E	C29	80,000	24,817	24,640	N87°17'49"E	C41	55,000	13,260	13,228	N53°16'09"E	C53	38,500	7,117	7,112	N61°10'59"W
C6	78,000	12,953	12,938	N51°33'40"E	C18	75,000	18,074	18,031	N53°16'19"E	C30	60,000	24,817	24,640	N73°00'18"W	C42	55,000	10,845	10,827	N52°00'41"E	C54	38,500	14,616	14,578	N19°49'42"W
C7	9,000	14,137	12,798	N1°40'42"E	C19	75,000	15,598	15,561	N54°13'17"E	C31	60,000	18,676	18,601	N52°14'20"W	C43	55,000	2,415	2,415	N59°55'05"E	C55	38,500	15,281	15,237	N31°28'07"W
C8	29,000	45,553	41,012	N40°42'42"E	C20	75,000	2,485	2,485	N47°19'03"E	C32	80,000	106,819	99,058	N81°34'22"W	C44	75,000	18,082	18,038	N53°16'09"E	C56	38,500	4,462	4,461	N41°08'13"W
C9	29,000	4,459	4,459	N46°13'31"E	C21	74,500	17,550	17,510	N52°25'38"E	C33	80,000	10,036	10,029	N46°34'55"W	C45	75,000	12,668	12,653	N52°20'14"E	C57	9,000	20,518	16,355	N21°59'19"E
C10	29,000	12,702	12,600	N43°13'28"E	C22	74,500	8,662	8,657	N50°50'42"E	C34	80,000	14,345	14,326	N55°38'45"W	C46	75,000	5,414	5,412	N49°23'50"E	C58	11,000	9,480	9,189	N68°04'41"W
C11	29,000	12,780	12,677	N50°03'07"E	C23	74,500	8,888	8,883	N50°05'46"E	C35	80,000	14,345	14,326	N55°55'11"W	C47	51,000	16,234	16,166	N34°12'09"W	C59	11,000	9,092	8,835	N19°38'35"W
C12	29,000	12,780	12,677	N1°11'54"W	C24	54,500	12,838	12,809	N53°25'38"E	C36	80,000	14,345	14,326	N78°11'36"W	C48	71,000	2,663	2,663	N42°14'50"W	C60	20,000	95,884	27,097	N46°40'41"E
														</										

APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS  
6<sup>th</sup> DAY OF March, 2024.

*Nicholas Leeb*  
Director of Legal Services - Nicholas Leeb  
Approval Authority.

PLAN 11M-266

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND  
REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF ELGIN (No. 11)  
AT 11:49 A.M. O'CLOCK ON THE 20<sup>th</sup> DAY OF  
March, 2024 AND ENTERED IN THE PARCEL REGISTER  
FOR PLAN'S 35156-0844, 35156-0947  
AND 35156-0848  
AND THE REQUIRED  
CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. CT233345

*John E. Pate*  
REPRESENTATIVE FOR LAND REGISTRAR FOR THE  
LAND TITLES DIVISION OF ELGIN (No. 11)

THIS PLAN IS COMPRISED OF ALL OF P.L.N. 35156-0844(LT),  
ALL OF P.L.N. 35156-0847(LT) AND ALL OF P.L.N. 35156-0848(LT)

PART OF LOTS 1 TO 4 (BOTH INCLUSIVE) AND PART OF BLOCK 180  
ARE SUBJECT TO EASEMENT BY INST. D-1080

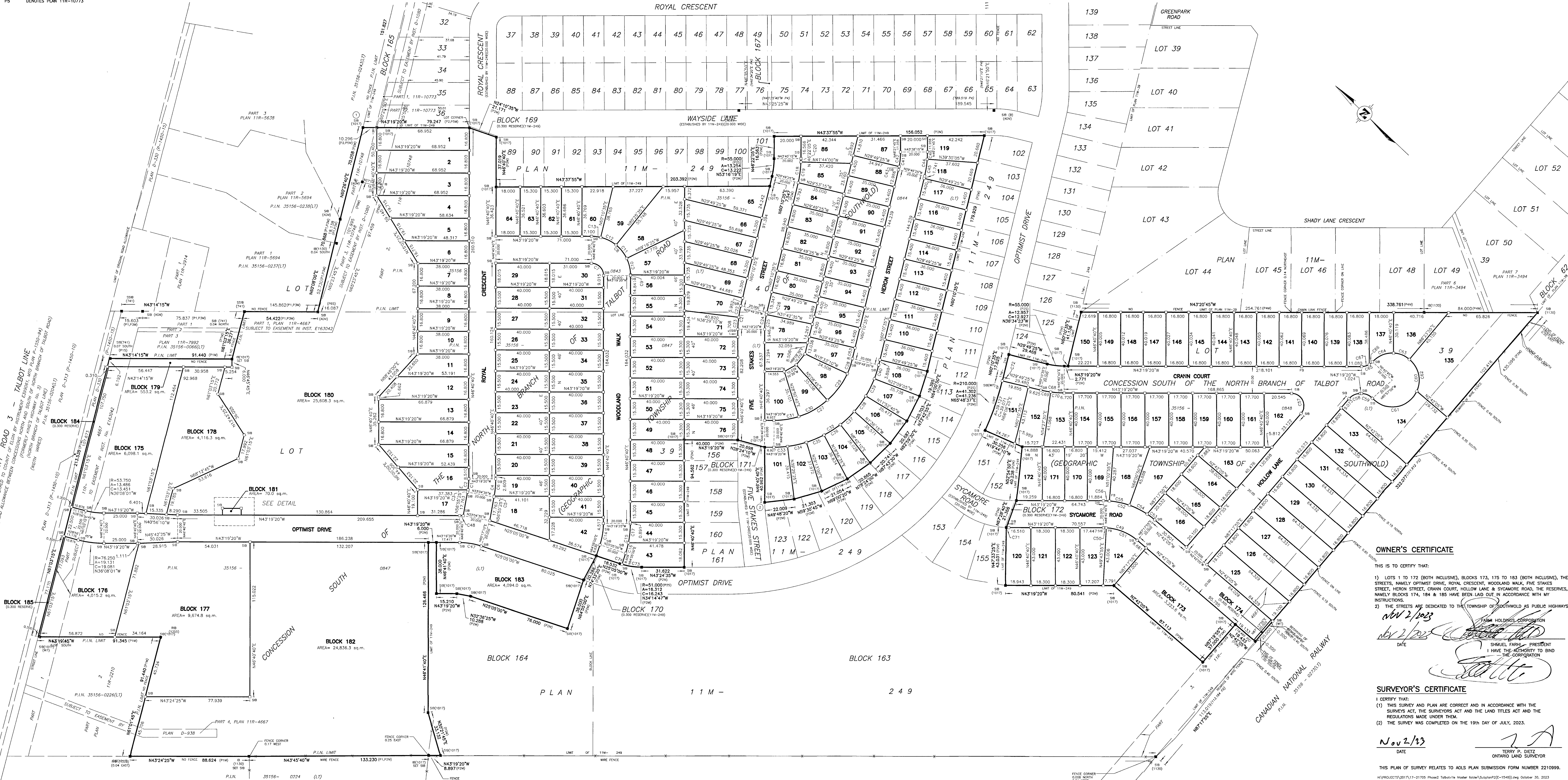
ALL OF BLOCKS 180 & 185 AND PART OF BLOCKS 175, 176, 177 & 180 AND PART OF  
OPTIMIST DRIVE ARE SUBJECT TO EASEMENT BY INST. No. E163042

PART OF BLOCK 182 IS SUBJECT TO EASEMENT BY PLAN D-938

PLAN OF SUBDIVISION  
OF PART OF  
LOTS 39 & 40  
CONCESSION SOUTH OF THE  
NORTH BRANCH OF TALBOT ROAD  
(GEOGRAPHIC TOWNSHIP OF SOUTHWOLD)  
IN THE  
TOWNSHIP OF SOUTHWOLD  
COUNTY OF ELGIN  
SCALE 1:1000 (Metric)

(SCALE IN METRES)

TERRY P. DIETZ  
ONTARIO LAND SURVEYOR



## OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

1) LOTS 1 TO 172 (BOTH INCLUSIVE), BLOCKS 173, 175 TO 183 (BOTH INCLUSIVE), THE  
STREETS, MAINLY OPTIMIST DRIVE, ROYAL CRESCENT, WOODLAND WALK, FIVE STAKES  
STREET, HERON STREET, CRANN COURT, HOLLOW LANE & SYCAMORE ROAD, THE RESERVES,  
MAINLY BLOCKS 174, 184 & 185 HAVE BEEN LAID OUT IN ACCORDANCE WITH MY  
INSTRUCTIONS.

2) THE STREETS ARE DEDICATED TO THE TOWNSHIP OF SOUTHWOLD AS PUBLIC HIGHWAYS.

*Nov 2/23*  
DATE

*Shmuel Farhi*  
SHMUEL FARHI, PRESIDENT  
I HAVE THE AUTHORITY TO BIND  
THE CORPORATION

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE  
SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE  
REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE 19th DAY OF JULY, 2023.

*Nov 2/23*  
DATE

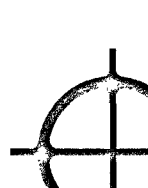
*Terry P. Dietz*  
TERRY P. DIETZ  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION NUMBER 2210999.

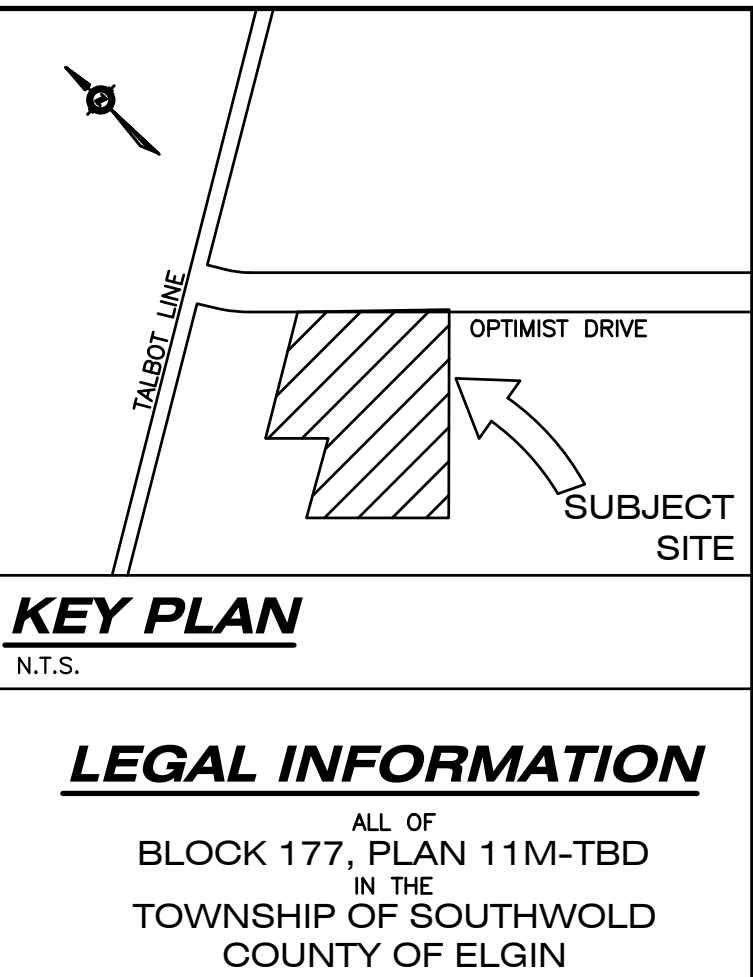
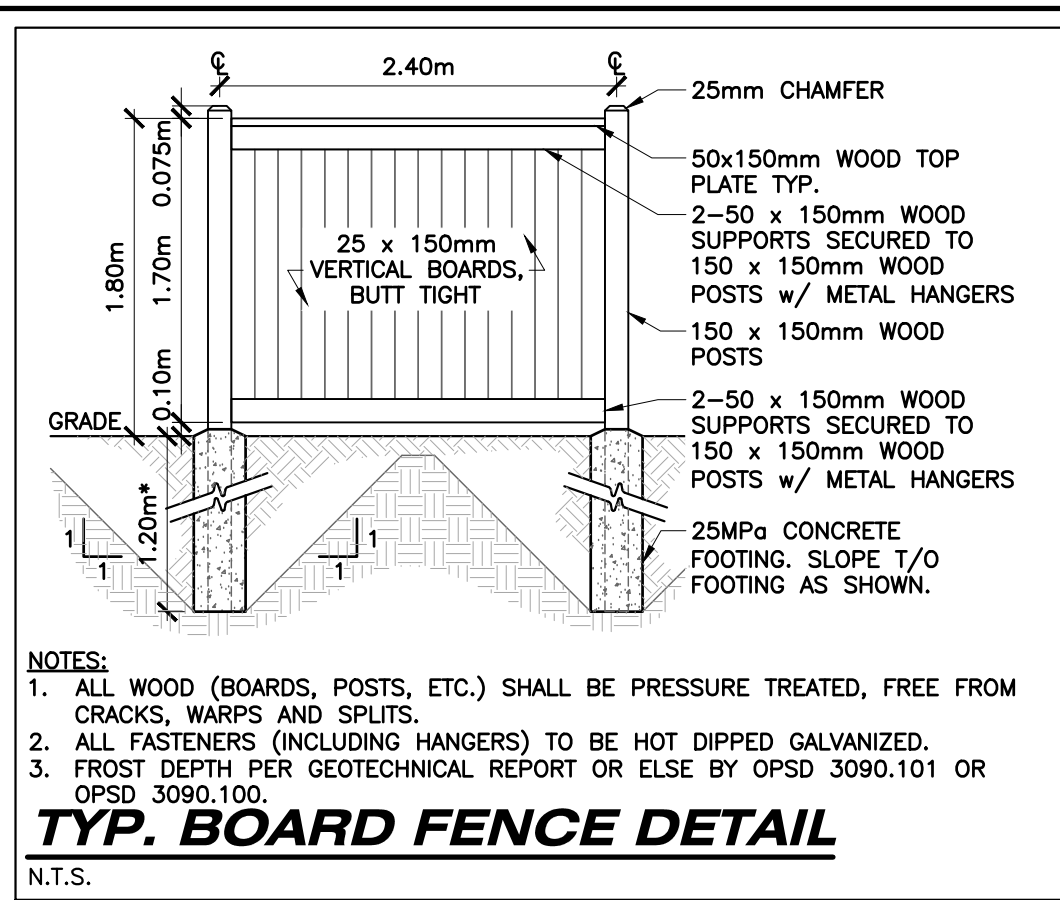
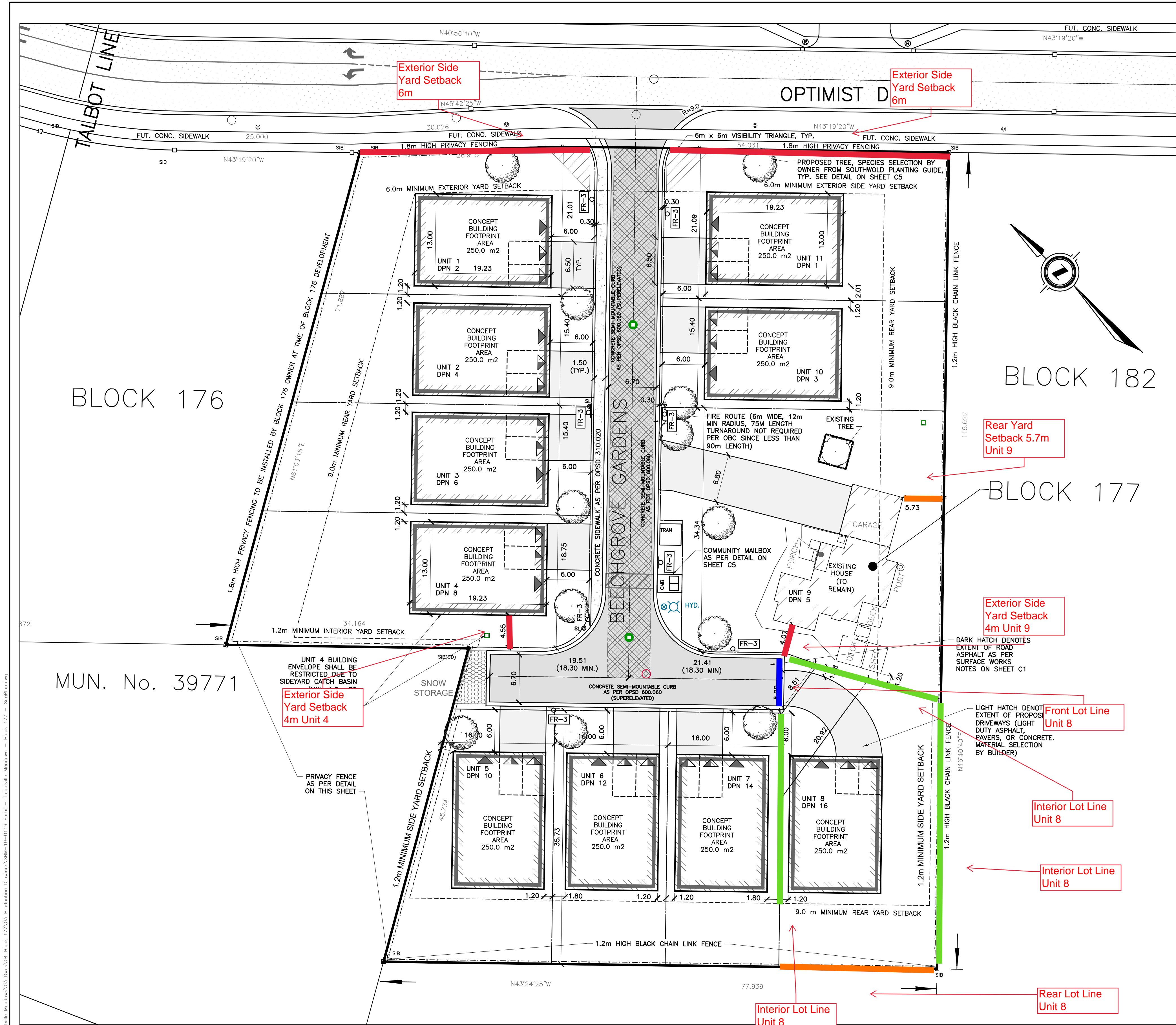
H:\PROJECTS\2023\17-21705 Phase2 Talbotville Water Main\Subs\Phase2\22-1845.dwg October 30, 2023

Callon Dietz INCORPORATED  
ONTARIO LAND SURVEYORS  
CARLETON PLACE LONDON NORTH BAY  
info@callondietz.com callondietz.com

SURVEY BY: MC/YS DRAWN BY: H/D/BLD FILE No: 17-21705-K PLAN No: E-1548







ZONING DATA CHART			
GROSS SITE AREA: 9,675.6 m <sup>2</sup>			
ITEM	R1	REQUIRED	PROVIDED
1	PERMITTED USES	SEE PERMITTED USE NOTE ON SHEET SP1	SEE PERMITTED USE NOTE ON SHEET SP1
2	LOT FRONTAGE (m MIN)	15.0	15.4 MIN.
3	FRONT YARD SETBACK (m MIN)	6.0	6.0
4	REAR YARD SETBACK (m MIN)	9.0	9.0 UNIT 9 - 5.7m*
5	INTERIOR SIDE YARD SETBACK (m MIN)	1.2	1.2
6	EXTERIOR SIDE YARD SETBACK (m MIN)	6.0	4.0*
7	LOT AREA (m <sup>2</sup> MIN)	450.0m <sup>2</sup>	571.6m <sup>2</sup>
8	LOT COVERAGE (%) MAX	40	45*
9	HEIGHT MAXIMUM (m)	12	<12
10	VEHICLE PARKING	2 SPACES/UNIT	MIN. 4 PER UNIT (2 IN GARAGE, 2 IN DRIVEWAY)
*ZONING DEFICIENCY			

#### SITE BENCHMARK:

**MONUMENT #1:**  
NAME: 00819648018  
TYPE: TABLET  
LOCATION: 1-1/2 STOREY BRICK HOUSE ON WEST SIDE OF GRAVEL RD RUNNING SOUTH FROM END OF HWY 4 CURVE IN TALBOTVILLE, 0.3km SOUTH OF THE JCT OF HWYS 3 AND 4. TABLET IS SET HORIZONTALLY IN SOUTH FACE OF CONCRETE FOUNDATION, 2.07m WEST OF NORTHEAST CORNER AND 55cm BELOW BRICKWORK  
GEODETTIC ELEVATION: 233.346m

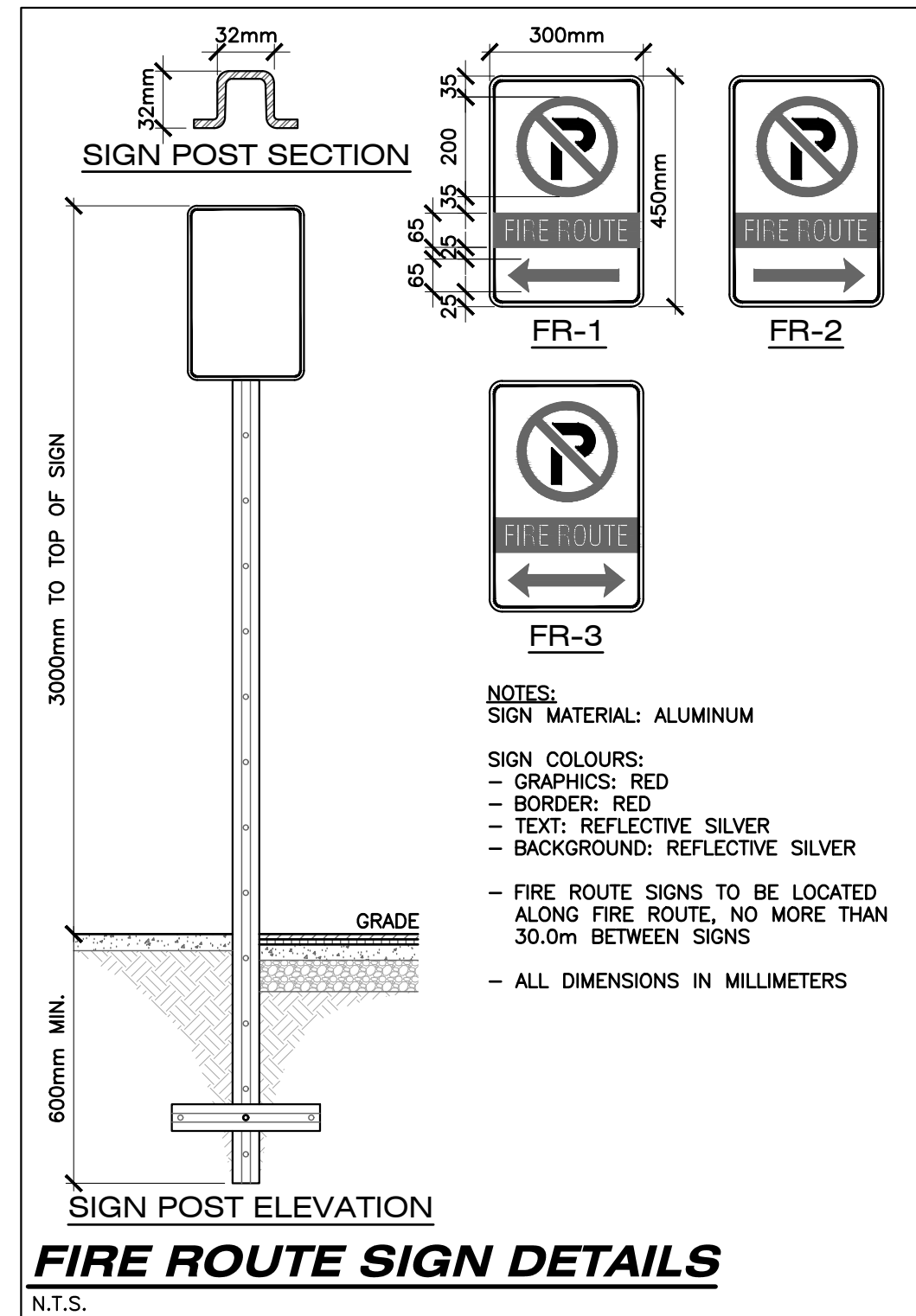
**MONUMENT #2:**  
NAME: 00819658064  
TYPE: TABLET  
LOCATION: ONE STOREY RED BRICK ANTIQUE SHOP ON THE EAST SIDE OF HWY 4, 0.6km NORTH OF THE JCT OF HWYS 3 AND 4 IN TALBOTVILLE. TABLET IS SET HORIZONTALLY IN THE NORTH FACE OF CONCRETE FOUNDATION OF ADDITION, 43.6m EAST OF CENTRE LINE OF PAVEMENT, 3.6m WEST OF THE EXTREME N.E. CORNER AND 24cm BELOW THE TOP OF FOUNDATION  
GEODETTIC ELEVATION: 235.584m

#### LEGEND:

- PROPOSED SIGN, TYPE OF SIGN
- PROPOSED BARRIER FREE ROUTE
- PROPOSED FIRE ROUTE (6.0m WIDE, 12.0m RADIUS)
- PROPOSED SNOW STORAGE
- PROPOSED FIRE HYDRANT
- BUILDING ENTRANCE
- OVERHEAD DOOR
- PROPOSED LIGHT-DUTY ASPHALT
- PROPOSED HEAVY-DUTY ASPHALT
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING
- LIMITS OF SUBJECT PROPERTY
- PROPOSED TREE PRESERVATION FENCE
- EXISTING DECIDUOUS/CONIFEROUS TREE
- PROPOSED DECIDUOUS/CONIFEROUS TREE

#### PERMITTED USES

R1 ZONE (TOWNSHIP OF SOUTHWOLD ZONING BY-LAW):  
• HOME OCCUPATION  
• SINGLE DETACHED DWELLING



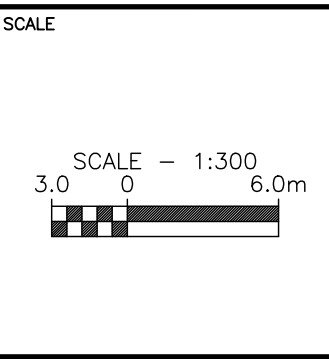
AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
DESIGN	MMG	1	FOR CLIENT REVIEW	06/10/23	MMG	
DRAWN	FR/MMG	2	FOR SITE PLAN APPROVAL, SUBMISSION 1	21/11/23	FR	
CHECKED	BH	3	FOR SITE PLAN APPROVAL, SUBMISSION 2	29/02/23	AV	
APPROVED	BH					
DATE	17/11/2023					
CAD	19-0116					

**STRIK BALDINELLI MONIZ**  
PLANNING - CIVIL - STRUCTURAL - MECHANICAL - ELECTRICAL  
1599 Adelaide St. N, Unit 301, London, Ontario, N5X 4E8  
Tel: (519) 471-6667 Fax: (519) 471-0034  
Email: sbm@sbmtd.ca



ENGINEER'S STAMP  
SEALED FOR GENERAL CONFORMANCE WITH THE OBC AND MUNICIPAL SITE PLAN CONTROLS AND ZONING BY-LAWS

CLIENT  
**FARHI HOLDINGS CORP.**  
620 RICHMOND ST.  
LONDON, ON  
N6A 5J9  
P: 519.645.6666  
E: DEVELOPMENT@FHC.CA ; JIMB@FHC.CA



SITE PLAN & ZONING CHART BLOCK 177, 11M-TBD		PROJECT No. SBM-19-0116
TALBOTVILLE MEADOWS VACANT LAND CONDOS		SHEET No. SP1
7 OPTIMIST DRIVE SOUTHWOLD, ON.		PLAN FILE No. —





## **TOWNSHIP OF SOUTHWOLD**

### Report to Council

**MEETING DATE:** April 8, 2024  
**PREPARED BY:** Danielle Truax, Planner  
**REPORT NO:** PLA 2024-04  
**SUBJECT MATTER:** **Minor Variance Application No. MV 2024-02**  
8934 Iona Road  
P. & C. Willmore

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#### **Recommendation(s):**

THAT the Committee of Adjustment for the Township of Southwold receive Planning Report PLA 2024-04 regarding Minor Variance Application MV 2024-02; and

THAT the Committee of Adjustment for the Township of Southwold grant the requested Minor Variance to obtain relief from the provisions of Section 8.2 Residential 1 (R1) Zone of Zoning By-law 2011-14, as amended to permit a reduction to the exterior side yard setback (Peter Street as shown on Registered Plan No. 3) from the required 6m to 3m to allow for the construction of a new single detached dwelling at 8934 Iona Road subject to the recommended condition that a Deeming By-law be approved by Council to remove the lands from Registered Plan No. 3.

#### **Purpose:**

Minor Variance Application No. 2024-02 seeks to obtain relief from the provisions of the Residential 1 (R1) Zone to permit a reduction to the exterior side yard setback (Peter Street, Plan 3) from the required 6m to 3m to allow for the construction of a new single detached dwelling on the property located at 8934 Iona Road, as shown on the site plan attached as Appendix 1 to this report.

#### **Background:**

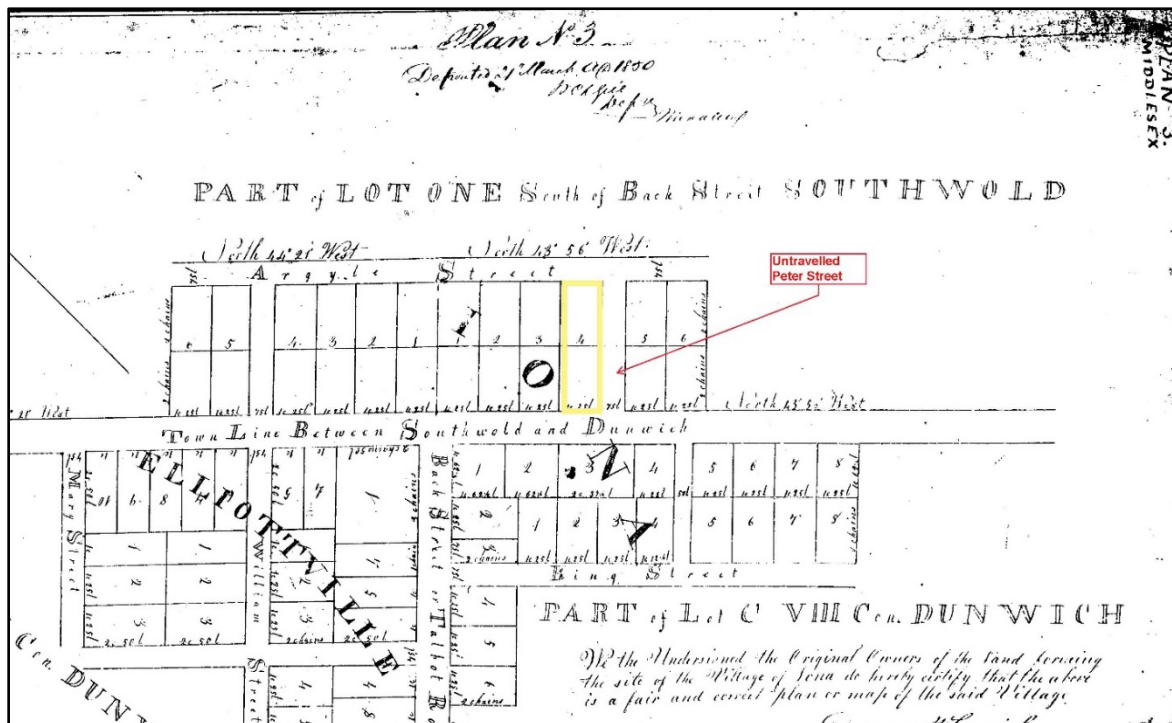
The subject property located in the Tier Two Settlement Area of Iona and is designated Hamlet in the Southwold Official Plan (2021) as shown on Schedule 4E. The property is zoned Residential 1 (R1) under the provisions of Zoning By-law 2011-14, as amended and as shown on Schedule A Map 17, as shown on the key map below.

The subject property is approximately 2022.45m<sup>2</sup> (.5 ac) in area with 25.15m (82.53 ft.) of frontage along Iona Road. The property is located in an area which has been developed with single detached dwellings which are serviced by municipal water

services from the Municipality of Dutton Dunwich, private on-site septic systems and natural and municipal drainage. A portion of the property is identified as being adjacent to a Natural Area and is subject to the provisions of Section 3.4 of Zoning By-law 2011-14, as amended. An existing single detached dwelling was removed from the property in 2023 by demolition permit.

Council previously considered Planning Report PLA 2023-27 to support Consent Application E66-23 and recommend conditions upon approval. Consent Application E66-23 sought approval to create a new residential lot from the property at 8934 Iona Road and was approved by the Elgin County Land Division Committee on September 27, 2023. Since that time, it was determined in consultation with the municipal solicitor that a consent was not required to create a new lot as the proposed lots already existed on a registered plan of subdivision and could be registered individually. Consent Application E66-23 has been abandoned.

The subject property at 8934 Iona Road consists of the front and rear of Lot 4 on Registered Plan 3 (1850) outlined in yellow on the key map below. Along with the lots, Registered Plan No. 3 also laid out streets. The subject property abuts Peter Street to the immediate south and exists today as an untravelled municipal right of way with a width of approximately 12m (40 ft). The streets shown on Plan 3 have not been closed by the municipality and for this reason the subject property is considered a corner lot and the required exterior side yard setback must be applied to the property line abutting Peter Street.





**Comment/Analysis:**

Notices for the consideration of MV 2024-02 were circulated in accordance with the applicable regulations of the Planning Act, including the delivery of the Notice of Public Hearing to all property owners within 60m of the subject property and the posting of signage on the property.

Planning has had an opportunity to review Minor Variance Application MV 2024-02 and comments received from internal staff, external agencies, and members of the public.

**Lower Thames Valley Conservation Authority –Pending****Building and Community Services:**

- The requested variance is a significant reduction if the future development is considered;
- Additional studies in accordance with section 3.4 of the Zoning By-law are not required as a lot has already been developed with a single detached dwelling;
- The front and rear lots must be held in same name to allow development to cross property lines;

**Water** – No comments, water provided from Dutton Dunwich;

**Drainage** – Abutting streets cannot be used as a drainage outlet, site drainage to be established during building permit process;

**Infrastructure and Development:**

- Future development beyond limits of Plan 3 is strongly discouraged
- Future development of lots fronting on streets shown on Plan 3 would require construction of streets to a municipal standard;

**Chief Administrative Officer:**

- Given the lack of servicing in Iona and that the lands to the East are outside the Hamlet Settlement Boundary in the OP future development is unlikely;
- There are no short or long term plans to service Iona with sanitary service to necessitate development;
- There are no plans to open or use as roads;
- Construction of a single detached dwelling to replace the previously existing dwelling is not considered new development and does not require environmental studies in accordance with Section 3.4;

**Public:** – No comments have been received from the public at the time of the report.

**Planning:**

The application has been reviewed with respect to the relevant policies of the Provincial Policy Statement (2020) and the Elgin County Official Plan. The subject property is located within a designated settlement area. The proposed residential use represents an appropriate level of development based on available services. The proposed variance is consistent with and conforms to the applicable policies for the development of lands within a designated settlement area and is not considered to have a negative impact on the identified Natural Heritage features in the area.

When presented with a Minor Variance, the Committee of Adjustment must be satisfied the application meets the "Four Tests" of subsection 45(1) of the Planning Act, as follows:

1. **Meets the general intent of the Official Plan** - The property is designated Hamlet in the Southwold Official Plan (2021).

**Iona Settlement Area**

Further expansion of the current settlement area boundary of Iona is not anticipated in the immediate or future planning timeframe. Growth and development should be directed to settlement areas with full municipal servicing. For this reason, it is not anticipated that the public right of ways shown on Plan No. 3 will be constructed to accommodate future growth beyond the current limits of Iona.

Technically, Peter Street is a public right of way and in all other cases the exterior side yard setback should be maintained to ensure orderly development. However given the likelihood of future development, the proposed variance is viewed as having low risk of negative impacts on the subject property or future municipal infrastructure requirements.

The proposed variance to reduce the exterior side yard setback along Peter Street maintains a rural development standard that may not be appropriate in other more urban developments.

Single detached dwellings are permitted in Hamlet areas and are to be developed based on the available level of services in a manner consistent with the surrounding character of the area. The proposed variance will permit the development of a single detached dwelling on municipal water and private septic and will not impede future development. The proposed variance meets the intent of the Official Plan and will permit the use of designated lands for the permitted residential use.

2. **Meets the general intent of the Zoning By-law** –An exterior side yard setback establishes the building line for property abutting a public right of way. The setback is typically larger to accommodate sight visibility triangles, create a consistent line of built form along the private / public realm and to protect abutting uses from impacts of the use of the right of way including reoccurring noise, traffic and pedestrian movement.
- It is staff's position that exterior side yard setbacks should be maintained to ensure orderly development. However, a reduced exterior side yard setback can be considered for the subject property for the following reasons:
- i) it is not anticipated that Peter Street will be developed to a municipal standard as a public right of way, including roadway, sidewalks and infrastructure;
  - ii) the level of available servicing limits the opportunity for residential intensification, the proposed setback is reflective of a rural character of the surrounding residential area;
  - iii) the setback will allow for an appropriate building envelope for the proposed residential use; and
  - iv) the reduction to the exterior side yard will not impact the normal use and enjoyment of the subject property, nor will it negatively impact the use of Peter Street.

The proposed variance is in keeping with the intent of the provisions of the zoning by-law and provides and is appropriate for the proposed residential development.

3. **Desirable for appropriate use of the Property** – The reduction to the required exterior side yard setback will allow for the construction of a single detached dwelling in keeping with the surrounding area. No negative impacts are anticipated on the subject property, abutting residential properties or untravelled municipal right of ways.

**Condition: Deeming By-law**

As noted, the property consists of two legally conveyable lots on Registered Plan No. 3, being the front and rear Lot 4. The sketch submitted with MV 2024-02 shows the dwelling located on the front lot and the required septic system on the rear lot. To ensure orderly development of the property, it is recommended that the lots be deemed not to be lots on a registered plan. The consideration and

approval of a Deeming By-law by Council will have the effect of merging the lots into one legally conveyable lot. Although unlikely once a house is constructed, a deeming by-law will ensure that Peter Street will never be used as access to the rear lots or considered frontage. A deeming by-law will also merge the lots bringing them closer to the current zoning standards.

The Committee of Adjustment is permitted to assigned conditions to the approval of Minor Variances. The setback will not be applicable until a deeming by-law has been considered and approved by Council and the deeming by-law is registered on title.

The proposed variance will permit development which is appropriate and desirable for the area.

4. **Minor in Nature** – The variance is considered minor in nature given as it is not anticipated that Peter Street will be developed as a travelled municipal right of way. The available building envelope is sufficient for the construction of a dwelling and required services in accordance with the provisions of applicable Building Code Regulations.

### **Conclusion:**

Subject to receiving further questions and comments from the Committee of Adjustment and members of the public, staff is in a position to state that the application, as proposed:

- i. Is in keeping with the general intent of the Official Plan.
- ii. Is in keeping with the general intent of Zoning By-law 2011-14, as amended, for the Township of Southwold.
- iii. Is desirable and will result in the appropriate development of the area
- iv. Is minor in nature not causing any adverse impact that may result from granting this application

Upon the Committee of Adjustment making a decision, the required Notice of Decision for the Minor Variance will be circulated within 15 days of the meeting. There is a 20-day appeal period during which objections to the decision can be submitted to the Ontario Land Tribunal. The Committee of Adjustment should be able to demonstrate why the application does or does not meet the four tests for a minor variance under the Planning Act and state those reasons in making a decision.

### **Financial Implications:**

There are no significant financial implications related to the consideration of Minor Variance Application MV 2024-02.



**Strategic Plan Goals:**

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☒ Managed Growth
- ☐ Welcoming and Supportive Neighbourhoods
- ☐ Economic Opportunity
- ☐ Fiscal Responsibility and Accountability

**Respectfully submitted by:**  
**Danielle Truax**  
**Planner**  
**"Submitted Electronically"**

**Approved by:**  
**Lisa Higgs**  
**CAO/Clerk**  
**"Approved Electronically"**

**Attachments:**

Appendix 1. – Site Plan 8934 Iona Road

# SITE PLAN

COUNTY OF ELGIN

MUNICIPALITY OF SOUTHWOLD

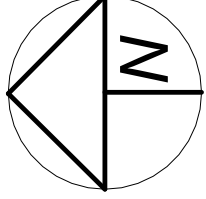
TOWN OF IONA STATION

NOTE:  
DRAWING IS FOR REFERENCE ONLY; THE MEASUREMENTS  
PROVIDED ARE BASED ON MEASUREMENTS PROVIDED BY  
ORIGINAL BUILDING LOCATION SURVEY LOCATIONS OF BUILDING  
AND PATHWAYS MAY HAVE BEEN MODIFIED TO ILLUSTRATE  
CONCEPTUAL DESIGN. THIS DRAWING HAS NOT BEEN  
PREPARED BY REGISTERED ONTARIO LAND SURVEYOR.

## ZONING REGULATIONS FOR R1 PROPERTY

LOT COVERAGE  
LOT AREA TOTAL = 2022.45 m<sup>2</sup>  
ALLOWABLE LOT COVERAGE = 808.98 m<sup>2</sup> (40%)  
PROPOSED LOT COVERAGE = 278.3 m<sup>2</sup> (13.8%)

SETBACKS  
INT. SIDE YARD SETBACK = 1.2 m  
EXT. SIDE YARD SETBACK = 9 m  
REAR YARD SETBACK = 6 m



**DUE NORTH**  
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### NOTES:

1. DO NOT SCALE DRAWING.
2. ALL MATERIAL AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
3. ALL DIMENSIONS ARE TAKEN FROM BLOCK FACE, FOUNDATION FACE, STUD FACE, DECK FACE, COLUMN FACE OR COLUMN CENTERLINE.
4. ALL MATERIALS AND FINISHES TO BE USED SHALL BE APPROVED BY THE OWNER PRIOR TO CONSTRUCTION.
5. ALL DRAWINGS ARE PROPERTY OF DUE NORTH DESIGN & DRAFTING INC. AND SHALL NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.

MAIN FLOOR: 1794 SQ. FT.  
GARAGE: 812 SQ. FT.  
PORCHES: 383 SQ. FT.

CONCEPTUAL  
ONLY

REVISIONS		
NO.	DESCRIPTION	DATE
1	ISSUED FOR CLIENT REVIEW	FEB. 5, 2024
2	ISSUED FOR PRE-CONSULTATION	FEB. 22, 2024

WILLMORE

NEW HOUSE

SITE PLAN

Address	8934 IONA RD IONA STATION, ONT
Project Number	24-08
Date	Feb 22, 2024
Drawn by	N.M.
S1	
Scale	1/16" = 1'-0"
Rev.	2

