



Committee of Adjustment

AGENDA

September 28, 2020 at 6:00 p.m.

Merrickville Community Centre, 106 Read Street, Merrickville

1. Call to Order – by Clerk
2. Disclosure of Pecuniary Interest and Nature Thereof
3. Appointment of Chairperson for this meeting
4. Appointment of Secretary-Treasurer
5. New Business:
 1. File No. A-01-2020 re: 112-114 Sophie Lane, Lot 18, Plan 15M-13, Parts 1 to 5, Reference Plan 15R-12042, Village of Merrickville-Wolford
6. Adjournment



Jp2g Consultants Inc.

ENGINEERS • PLANNERS • PROJECT MANAGERS

12 International Drive, Pembroke, ON, K8A 6W5
T 613-735-2507, F 613-735-4513, www.jp2g.com

September 25, 2020

Village of Merrickville-Wolford
317 Brock Street West
P.O. Box 340
Merrickville, ON K0G 1N0

Attention: Doug Robertson, CAO/Clerk

**Re: Planning Report – Application for Minor Variance (Constantineau)
112-114 Sophie Lane, Lot 18, Plan 15M-13,
Parts 1 to 5, Reference Plan 15R-12042,
Village of Merrickville-Wolford
Our File No. 20-7059M**

Please accept the following Planning Report summarizing the nature and effect of the minor variance application before the Committee of Adjustment for 112-114 Sophie Lane. The Report also summarizes relevant planning policy and provides a professional planning opinion on the merits of the application.

Purpose and Effect

The purpose of the minor variance application is to seek relief from Section 5.2, Residential Type Two (R2) minimum lot area requirement for semi-detached dwellings. Specifically, the request is to reduce the minimum lot area requirement for a semi-detached dwelling from 270 m² (2,906 square feet) to 258 m² (2,777 square feet). There is an existing semi-detached dwelling located on the property (see survey attached).

Description of Development

The applicant has developed the subject lands with a semi-detached dwelling which is a permitted use within the R2 zoning that applies to the property. After construction of the semi-detached dwelling was completed and the property surveyed it was discovered that the property did not meet the minimum lot size for semi-detached dwellings. In consultation with the applicant and Village staff it was determined that a minor variance application would be the best planning process to address this shortcoming.

Site and Surrounding Land Use

The subject property is located at the southern end of the Village of Merrickville with 19.16 m (63 ft) of frontage on Sophie Lane which is an opened and maintained Village street. The property has an area of 520.1 m² (5,598 ft²). The property is occupied by a semi-detached dwelling which is intended to be surveyed and sold as two separate dwelling units.

The surrounding land use consists of a mix of low-density residential development, with the primary built form being single detached houses. The neighbourhood is best described as a developing residential subdivision. There are no identifiable natural features on the property.



The subject property is serviced by municipal sanitary sewer and water. The stormwater control is localized to the subdivision and outlets to a stormwater pond to the south of the subject property.

Existing Official Plan and Zoning

The subject property is designated "Residential" in the Village of Merrickville-Wolford Official Plan (2006). This designation encourages a range of residential uses including semi-detached dwellings.

The Village of Merrickville-Wolford Zoning By-law 23-08 zones the subject property Residential Type Two (R2) which includes semi-detached dwellings as permitted uses. It also establishes a minimum lot frontage of 9 m (29.5 ft) and a minimum lot area of 270 m² (2,906 ft²).

The only R2 zoning provision that the subject property does not satisfy is the minimum lot area requirement. The subject lands have a lot area of 520.1 m² (5,598 ft²) and when divided into two separate properties will result in minimum lot areas of 261.6 m² and 258.5 m².

Planning Opinion – Four Test for Minor Variance

As expressed in the Village Official Plan, the Ontario Planning Act sets out four tests in the consideration of Minor Variance applications:

1. Does the development proposed maintain the general intent of the Official Plan?
2. Does the development proposed maintain the general intent of the Zoning By-law?
3. Is the variance desirable for the appropriate development or use of the land?
4. Is the variance requested minor?

The following is a review of these four tests against the requested reduction in the minimum lot area.

Test 1: Official Plan

The Village of Merrickville-Wolford clearly supports the residential use of the subject lands, including the semi-detached currently occupying the subject property. Provided the minor variance application can satisfy the four tests, the proposed development is deemed to conform to the Official Plan.

The proposed Minor Variance maintains the general intent and purpose of the Village Official Plan.

Test 2: Zoning By-law

The Village of Merrickville-Wolford Zoning By-law 23-08 identifies the property as being zoned for low density residential uses, including semi-detached dwellings. The only provision of the Zoning By-law not satisfied is the minimum lot area.

When determining the intent of minimum lot area requirements, the Zoning By-law is attempting to establish a density of development consistent with the character of the Village. Over the past 2 decades the minimum lot area for low density residential development has consistently become smaller and smaller as communities attempt to make the most efficient use of the



limited serviced lands, address the affordability of larger lots and accommodate the trend for a compact built form.

In general, the reduction in minimum lot area from 270 m² to 258 m² is consistent with the density expectations of the Zoning By-law.

The proposed Minor Variance maintains the general intent and purpose of the Village Zoning By-law.

Test 3: Desirable for the Appropriate Development or Use of the Land

The residential use of the subject property is desirable. The establishment of a variety of residential options is desirable. Recognition of the existing semi-detached dwelling is desirable.

The proposed Minor Variance is desirable for the appropriate development of the subject land.

Test 4: Variance is Minor

The impact of reducing the minimum lot area for a semi-detached dwelling from 270 m² to 258 m² is seen to be minor. Recognizing the existing semi-detached dwelling will not result in the decision establishing undesired precedent. The development visually fits within the existing neighbourhood.

The proposed Minor Variance is minor in terms of its impact.

For these reasons, it is my opinion that the proposed Minor Variance to reduce the minimum lot area for a semi-detached dwelling within the R2 zone from 270 m² to 258 m² meets the four tests set out in the Planning Act and represents good land use planning.

Sincerely,

Jp2g Consultants Inc.
ENGINEERS • PLANNERS • PROJECT MANAGERS

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Forbes Symon', written over a horizontal line.

Forbes Symon, MCIP, RPP
Senior Planner



Map 1: Survey of Subject Property Showing Existing Semi-detached Dwelling

