



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date: Monday, January 24, 2022

To: Jennifer Willoughby, Secretary-Treasurer,
Committee of Adjustment

From: **Steve Wever, Town Planner**

Report: P2022-01

Subject: **Applications for Consent B21/05 &
B21/06 - 220 Owen Sound Street**

Recommendation

Be it Resolved that, subject to comments received at the public meeting, the Committee of Adjustment grant conditional approval of Consent Applications B21/05 & B21/06 subject to the following:

1. That the Secretary-Treasurer's Certificate under subsection 53(42) of the Planning Act R.S.O. 1990, c.P13, as amended, shall be issued and the Secretary-Treasurer's fee be paid;
2. The payment of cash-in-lieu of parkland at the rate of 5% of the value of the newly created lots;
3. That the Owner obtain approval of a Zoning By-law Amendment for the three (3) resultant lots to a zone that will accommodate the proposed lot areas, yards and setbacks;
4. That the owner enter into an agreement with the Town addressing site servicing, servicing allocation and drainage requirements and the details of all servicing connections, modifications and improvements to existing services including sanitary sewers, water supply, storm sewers, roads, hydrants, utilities, any required easements deemed necessary by the Town in accordance with Town standards and to the satisfaction of the Town's

Director of Development and Operations and the Town's Engineer, the requirement to remove the existing detached garage, and the payment of required fees;

5. Approval of the draft reference plan, as applicable, shall be obtained at the Committee of Adjustment office (Town of Shelburne) and the required number of prints (3) of the resultant deposited reference plan shall be received; and
6. The conditions are to be fulfilled and the consent is to be finalized on or before two (2) years from the date of the issuance of the Committee's notice of decision.

Background

Two (2) applications for consent have been submitted by Jeff Hamilton (the "Owner") for the creation of two new lots from the property municipally known as 220 Owen Sound Street. The purpose and effect of the applications is to sever the existing lot into three residential lots (2 lots to be severed, 1 lot retained). There are two applications for this severance:

- Application B21/05 is to sever a portion of the property to have a land area of 301 square metres and 19.81 metres of frontage on Second Avenue West to create a new residential lot for a future semi-detached dwelling, and to retain 530.19 square metres of land for the existing converted dwelling (3 units).
- Application B21/06 will further sever the previously proposed severed lot (B21/05) so that each unit of the proposed future semi-detached dwelling will be on a separate lot, with each lot having a lot area of approximately 150.5 square metres and 9.9 metres of frontage on Second Avenue West.

The existing property has a lot area of approximately 831.19 square metres with 15.19 metres of frontage on Owen Sound Street, and currently contains a converted dwelling (3 units) and a detached accessory garage building in the rear yard. A semi-detached dwelling is proposed to be constructed on the severed lands.

Analysis

The subject property is municipally known as 220 Owen Sound Street and is legally described as Lot 6, Block 5 on Registered Plan 5A, Town of Shelburne, County of Dufferin. The property is owned by Jeff Hamilton and currently contains a converted dwelling (3 units).

The property is located within the northerly limit of the Downtown Core along the west side of Owen Sound Street. The lands surrounding the subject property are characterized by existing low density residential (single detached, semi-detached and converted dwellings) and institutional uses (existing places of worship and the public library).

The property is designated 'Mixed Use' ('Mixed Use Corridor') in the Official Plan and is located within the Downtown Core and the built boundary. The property is currently zoned Residential Type Four (R4) Zone in the Zoning By-law. The applicable zoning in the area (R2 and R2) permits specific types of one- and two-unit dwellings including single detached dwellings, semi-detached dwellings and converted dwellings.

While there are no existing semi-detached dwellings on the lots immediately surrounding the subject property there is one to the south near the intersection of Owen Sound Street and First Avenue West, as well as two along First Avenue West.

Provincial Policy Statement (PPS)

The 2020 Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development and is relevant to the proposed application. All land use planning decisions shall be consistent with the PPS in accordance with Section 3 of the Planning Act. The proposal is supported by the following PPS policies:

- Accommodating an appropriate range and mix of residential and other uses to meet long-term needs (s.1.1.1 b) and mix of housing types and densities to accommodate residential growth (s.1.4.1, 1.4.3);
- Promote cost-effective development patterns and standards to minimize land consumption and servicing costs (s.1.1.1 e);
- Within settlement areas, sufficient land shall be made available to accommodate an appropriate range and mix of land uses through intensification and redevelopment to meet projected needs for a time horizon of up to 25 years (s.1.1.2);
- Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use available infrastructure and avoid the need for uneconomical expansion; support active transportation; and are transit supportive where transit may be developed (s.1.1.3.2 a-1,2,4 & 5), and shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated (s. 1.1.3.2);

- Planning authorities shall promote opportunities for accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (s.1.1.3.3);
- Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (s. 1.1.3.4);
- Planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal services (s.1.6.6.6).

The PPS provides the following additional policy direction relevant to the subject applications:

- Long-term economic prosperity should be supported by: (b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce; (d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; (e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; (s. 1.7.1)
- Significant built heritage resources and significant cultural heritage landscapes shall be conserved (s. 2.6.1).

“Built heritage resource” is defined in the PPS as “a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.”

The PPS also provides a definition for “cultural heritage landscapes” as “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to

have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

For both “built heritage resources” and “cultural heritage landscapes”, the PPS defines “significant” as meaning “resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.”

Heritage and built form considerations are reviewed later in this report, in respect of the subject applications for Consent.

Growth Plan for the Greater Golden Horseshoe

Approval of the proposed consent application would contribute to addressing the following Growth Plan policies:

- Focusing growth and development within the delineated built-up area (s.2.2.1.2a);
- To provide a diverse range and mix of housing to accommodate people at all stages of life (s.2.2.1.4c);
- Prioritizing planning and investment in infrastructure and public service facilities that will support intensification (s.2.2.2.4e).

Section 4.2.7.1 of the Growth Plan directs that “*Cultural heritage resources* will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.” “Cultural heritage resources” are defined in the Growth Plan as “Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.”

Heritage considerations are reviewed later in this report, in respect of the subject applications for Consent.

County of Dufferin Official Plan

The application has been reviewed under the applicable policies of the County of Dufferin Official Plan and in consideration of the following intensification policies:

- County encourages intensification with the existing built boundary/built up area wherever feasible and appropriate (s. 3.4.2 a);

- County encourages intensification with the urban settlement area that is of an appropriate scale and character and subject to other policies of the County Official Plan, including the availability of servicing, and the protection of existing stable neighbourhoods (s. 3.4.2 b);
- Intensification will include: small scale intensification through modification to an existing dwelling to include a second unit (s.3.4.2 c) i)); infill residential development and new residential development of vacant land or underutilized land within the built-up area (s. 3.4.2 c) ii));
- The following criteria will assist the County and local municipalities in the evaluation and consideration of applications for intensification:
 - i. the proposed development is located within the built boundary/built-up area;
 - ii. the proposed development provides a diverse and compatible mix of land uses including residential uses and potentially commercial or employment uses, to support vibrant neighbourhoods;
 - iii. the existing sewage and water services can accommodate the additional development;
 - iv. the road network can accommodate the traffic generated;
 - v. sufficient parking is provided;
 - vi. the proposed development is adequately serviced by parks, schools and other community infrastructure;
 - vii. the proposed development supports transit, where available, walking and cycling for everyday activities;
 - viii. the development proposal provides for high quality public open spaces with site design and urban design standards that create attractive and vibrant places;
 - ix. the proposed development is compatible with the existing development and the physical character and scale of adjacent buildings, streetscapes, and surrounding neighbourhood, and provides appropriate transition of built forms to adjacent uses; and
 - x. the proposed development is consistent with the policies of the appropriate land use designation associated with the land.

The County Official Plan also establishes the following goals:

- Protect significant cultural heritage and archaeological resources and the history and defining character of the County (s. 1.1.5 (h));

- Encourage the growth and vitality of the core commercial areas and historic downtowns through infill, intensification and redevelopment which is appropriate to the local context and character (s. 1.1.5 (j));
- Encourage the provision of a range of housing opportunities of varying densities and tenures, including the construction of affordable housing and special needs housing (s. 1.1.5 (k));

Growth management objectives of the County Official Plan include:

- Encourage opportunities for redevelopment, revitalization and intensification in appropriate locations and of a scale and character of development that is compatible with the community (s. 3.1 (e));
- Encourage the provisions of a broad range of housing types and affordability to meet the needs of the existing and future residents of the County (s. 3.1 (g)).

The County Official Plan policies for urban settlement areas direct as follows:

- Urban settlement areas will be the focus of growth and will accommodate a broad range of uses (s. 3.3.2 (b));
- Local municipalities are encouraged to identify and promote intensification, infill and redevelopment of designated and vacant and/or underutilized sites, in the urban settlement areas, taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs (s. 3.3.2 (e));
- Historic downtowns and main street areas should be maintained and/or enhanced through development that is compatible with the existing character of these areas. Mixed use development and an accessible pedestrian oriented streetscape are encouraged. (s. 3.3.2 (f));
- Cost effective development patterns and those which minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage conservation or public health and safety concerns will be avoided. (s. 3.3.2 (h));

Community Design policies of the County Official Plan direct as follows:

- Local municipalities will seek to maintain and improve the physical design characteristics in the context of new and existing development, and promote a high quality of community design and built form (s. 3.9.1 a);

- Local municipalities, through the review of development applications will:
 - i. ensure that new development is designed in keeping with the traditional character of the settlement areas and in a manner that both preserves their traditional community image and enhances their sense of place within the County;
 - ii. promote efficient and cost-effective development patterns that minimize land consumption;
 - iii. promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
 - iv. encourage tree retention or tree replacement; and
 - v. encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure. (s. 3.9.1 b);
- Local municipalities may require development proponents to submit design and architectural control guidelines with development applications, establishing how the policies of this Plan and the local municipal official plan have been considered and addressed. Such guidelines may also be required to address related issues of streetscaping, landscaping, setbacks, signage, garage placement, and architectural treatment in accordance with any local design guidelines and zoning by-laws. (s. 3.9.1 c);
- Local municipalities will require that infill developments be compatibly scaled and designed to enhance the character of the area (s. 3.9.1 d).

The heritage policies of the County Official Plan direct as follows:

- A heritage impact assessment by a qualified professional will be required whenever cultural heritage resources may be impacted by a proposed development. Such an assessment will include recommendations regarding mitigation measures on how impacted cultural heritage resources will be conserved (s. 3.10.1 (c));
- Local municipalities are encouraged to establish Municipal Heritage Committees pursuant to the Ontario Heritage Act to advise and assist local municipal Councils on matters related to Parts IV and V of the Ontario Heritage Act and on cultural heritage matters. Local municipal councils are encouraged to seek the advice of the Municipal Heritage Committee. (s. 3.10.1 (d)).

“Character” is defined in the County Official Plan as “means the collective qualities and characteristics that distinguish a particular area or neighbourhood.”

Heritage, design and built character considerations are reviewed later in this report, in respect of the subject applications for Consent.

Town of Shelburne Official Plan

Section 8.4 of the Official Plan identifies factors to be considered in assessing applications for Consent when new lots are created:

a) That regards shall be given to the goals of Section 3 of the Plan.

The application for consent is supported by the goals and objectives of the Official Plan, specifically:

- To continue to provide a mix of housing forms and types of affordable housing similar to that which exists near the downtown core (s. 3c);
- To promote and monitor intensification within the Built-up Areas with an intended target of 38% of new residential development in the form of intensification (s. 3 d);
- To plan for and provide infrastructure and public facilities in an efficient and cost-effective manner to accommodate current and projected needs (s. 3 r);
- To plan for a complete community that meets the needs of residents throughout an entire lifetime by providing a range of housing types and community infrastructure (s. 3 s).

The proposed consent will contribute towards the goals of the Town's Official Plan through intensification and redevelopment within an existing residential area in the built-up area. The severed lots will be used for the construction of a semi-detached dwelling. This will contribute to providing a mix of housing forms, sizes and densities in the area that is currently serviced by municipal roads, water, sanitary and storm sewers and optimizing the use of this existing infrastructure.

The following goals of the Official Plan have not been specifically addressed at this time, and further information will be required to address these goals to support the required re-zoning of the subject land:

- To encourage well planned, attractive new development and a high quality of urban design that will reflect the historic, small town character of the community (s. 3 (a));
- To identity and preserve properties and areas of cultural heritage value or interest (s. 3(l)).

b) That the severance will conform to Schedule 'A; and the appropriate land use policies in this Plan, and the provisions of the Zoning By-law; and

The subject land is designated Mixed Use in the Town's Official Plan and is within the northerly limit of the Downtown Core and is located within the built boundary. The property is currently zoned Residential Type Four (R4) in the Town's Zoning By-law. Since the resultant lots would not meet the required minimum lot areas and yards as required in the Zoning By-law, a Zoning By-law Amendment will be required. As a residential use is proposed, the severed parcel conforms to the land use designation of the Official Plan which promotes opportunities for intensification and redevelopment in the downtown core.

A condition is recommended to require approval of an amendment to the Zoning By-law to appropriately zone the lots based on their lot areas, yards and setbacks.

Additional information will be required in support of the required zoning application, to address the following objectives, policies and criteria of the Mixed Use and Mixed Use Corridor designations:

- To encourage a high standard of urban design for all mixed use development that recognizes the cultural heritage value of the downtown core, is compatible with the existing built form and overall character of the area (s. 4.4.2 c);
- Regard for the character of adjacent development and appropriate integration of the proposed use(s) into the area and surrounding community with respect to building location, form, general exterior design features and landscaping of the site (s. 4.4.3.2 (b)(vii)).

c) That the severance will conform to the Land Division policies.

This application conforms to the land division policies of the Official Plan:

- Lot size – the lot frontage proposed for both lots will be adequate for the proposed uses and complies with the minimum lot frontage required by the Zoning By-law (minimum 9.0 metres required, 9.9 metres proposed). The proposed lot area (150.5 square metres per lot) is smaller than the minimum required by the Zoning By-law (270 square metres per unit for a semi-detached dwelling) and will require an amendment to the Zoning By-law. An application to amend the Zoning By-law will be required to establish site-specific minimum lot area and yard requirements for the proposed lots. Further information will be required to support the required zoning application to provide justification for the proposed yards and setbacks and the maximum lot coverage. The proposed lot sizes are large enough to accommodate a semi-detached dwelling and will require a relatively small building area (approximately 1,450 square feet per unit, including an attached single garage, assuming 2 storeys and 45% lot coverage). The maximum height of the dwelling will also be required to be addressed through the

zoning application, to address concerns about loss of privacy in the adjoining rear yard of the existing residential property to the south.

- Public Road Access and Improvement – the severed and retained land will continue to have frontage on a public street. The retained lot will continue to have frontage onto Owen Sound Street and the severed lots will both have frontage onto Second Avenue West.
- Parkland Dedication – current Official Plan policies require parkland dedication or cash-in-lieu for new lots for residential uses. In this case, the amount of parkland that can be required is not sufficient for a new park and no new parks are planned in this location in accordance with the Parks Master Plan. Cash-in-lieu of parkland will be required for the new lots based on 5% of the value of the severed lots.
- Compatibility with surrounding area – as the proposed lots will be used for residential uses in accordance with the current R4 zoning, there are no concerns regarding land use compatibility.
- Hazard Lands – the proposed severed and retained land are not within or adjacent to any area identified as Natural Environment in the Official Plan and no hazardous areas or conditions have been identified that would impact the planned development of a semi-detached dwelling.

The proposed consents are generally in keeping with the goals, policies and land use designations of the Town of Shelburne Official Plan. Further information will be required to address specific objectives, policies and criteria of the Official Plan, in support of the required zoning application.

Servicing

The property is within the Stage 1 area for services and a reserve has been established for these types of infill developments and general intensification. Based on the latest servicing capacity analysis, sanitary servicing capacity is available for some limited infill severances

Report DO2021-03 regarding Sewage Capacity Allocation was received by Town Council on May 31, 2021, and Council resolved to establish a servicing reserve of 10m³/day for residential and mixed-use infill and intensification in the Stage 1 and 2 area. As noted in Report DO2021-03, this reserve will provide the equivalent of approximately 12 to 30 residential units of capacity for the Stage 1 and 2 areas depending on the types of housing and/or mixed use development. This range has been reduced to between 8 and 21 units based on new units approved or conditionally approved since the infill reserve was established. If the subject applications are approved and the proposed 2 semi-detached units are allocated, the remaining infill reserve would be

reduced to between 6 and 15 units. The number of units that can be accommodated by the remaining reserve depends on the type of units proposed, as single detached and semi-detached dwellings have larger average household sizes (persons per unit) than apartments and other forms of multi-unit dwellings. A condition of approval is recommended to require the owner to enter into a Consent Agreement with the Town that will require confirmation of servicing allocation by the Town Engineer prior to the issuance of a building permit, and to require the owner to obtain a building permit for the additional residential unit within one (1) year of the allocation.

For the existing house at 220 Owen Sound Street (B21/05) water would still be supplied from the current water service running from the watermain on the west side of Owen Sound Street. To supply water to the two new semi-detached homes proposed (B21/06) a new water service would need to be tapped on Owen Sound Street and directionally drilled running down the south boulevard on Second Ave to the new lot where it could be split into 2 independent services or 1 each for the semi units.

The current sanitary connection for 220 Owen Sound Street to the collection main in the rear lane west of the property would need to be rerouted as the new homes will occupy the location of the current sewer lateral on the property. The new lateral would be installed in the south boulevard on Second Avenue West then running west and connecting into the collection main in the rear lane with a new connection. Since this is a long indirect run from the current connection, a clean out would need to be installed exiting the property to aid in future maintenance of cleaning the new lateral. Since the new lateral would be running under the current driveway and the two new driveways created for the semi-detached homes, proper insulation may need to be installed if the minimum depth of cover for frost protection cannot be achieved.

Proper separation distances between the new water and sanitary services for will be required to be maintained in the Town boulevard.

The current sanitary connection for 220 Owen Sound could be reused to connect the new semi lots to the sanitary system provided that the lateral is still in good condition. Town Staff would suggest a video inspection of the current lateral to ensure the integrity of the service.

Access

Access to the proposed severed and retained lots is available along the frontage of Second Avenue West. Town review and approval of the proposed details of the driveway location(s), widths and curb cut(s) will be required prior to construction of the entrance in accordance with Town standards.

Heritage and Building Design

The existing dwelling on the property has not been designated under the Heritage Act and the property is not listed in an official register of significant built heritage resources or cultural heritage landscapes. However, the existing building on the property is of local historical significance and distinct character, and the property is located at the north limit of the downtown which has a defining character established by the prevalence of early period architecture, rear public lanes and other historical elements.

According to the Town's Historical Walking Tour brochure, the existing 2.5 storey red-brick building is known as the "Buena Vista", was built in 1904 by Fred H. Silk, manager of Halstead's Bank, who continued as manager of the Union Bank until 1917 when the family moved to Toronto.

The Official Plan establishes the following objectives, policies and development criteria related to cultural heritage resources, character and building design:

- To protect cultural heritage resources that contribute significantly to the identity and character of the Town (s. 6.2 (b));
- To ensure new development and redevelopment is sensitive to and compatible with cultural heritage resources (s. 6.2 (d));
- All development permitted by the land use policies and designations of this Plan shall have regard for heritage resources and shall, wherever possible, incorporate these resources into any site plan or design that may be prepared for such new development within the Municipality (s. 6.3.1);
- Encouragement shall be given to conservation, protection, renovation, rehabilitation and re-use of heritage resources (s. 6.3.1);
- Heritage impact studies may be required prior to development, for any development application that could impact identified cultural heritage resources and for protected heritage properties located on lands adjacent to the development and site alteration location that may be impacted by the undertaking (s. 6.3.1, 6.3.6);
- In addition to the criteria of the Ontario Heritage Act for determining whether a property is of cultural heritage value or interest, the Town may consider the following:
 - Criteria for identification of properties: The significance of the property in illustrating or interpreting the heritage of Shelburne should be judged by the basic criteria of architectural merit and

historical association. In general, the property should illustrate effectively the broad architectural, cultural, social, political and economic patterns of Shelburne's history or should be associated or identified with events or persons that have shaped that history in a significant way.

- Criteria for identification of districts: An area identified as a potential Heritage Conservation District should contain a number of properties of architectural and historical value which when seen together form a unit that reflects an aspect of the Town's historical or cultural development or that contains important aesthetic or environmental characteristics, which warrant that the area be protected in its entirety. (s. 6.3.3 (a)).
- For any development application that could impact identified cultural heritage resources and for protected heritage properties located on lands adjacent to the development and site alteration location that may be impacted by the undertaking (s. 7.16.3 (c)).

The proposed development will not alter the existing historical building on the property which will be conserved, and has been recently renovated and restored by the owner following an earlier fire that damaged the building.

The existing detached garage at the back of the property would have to be demolished and removed to facilitate the proposed development of the new lots. A condition of approval is recommended to require the owner to enter into an agreement with the Town to require the removal of the existing detached garage building. The detached garage does not appear to be of the same era as the original building and does not have the same historical character.

The proposed construction of a new, modern semi-detached dwelling on the proposed severed lots, if not sensitively and appropriately designed and integrated, may negatively impact the heritage character of the property, and could look out of place. As noted earlier, a Zoning By-law Amendment will be required in order to establish the required yards, setbacks, coverage and lot area provisions for the proposed lots, prior to final approval of the Consents. A Planning Justification and Heritage Impact Assessment will be required to address the heritage and design policies of the Town's Official Plan, in support of the zoning application.

Town of Shelburne Zoning By-law

As noted earlier, a condition of approval is recommended to require that the owner obtain approval of an amendment to the Zoning By-law prior to final approval of the proposed Consents. The proposed lots would each be deficient

by 119.5 square metres of lot area, and the rear yard would be deficient by 3.84 metres (based on the Consent sketch provided by the applicant). The size of the units will be limited by the proposed lots, and the height of the proposed building and maximum height requirement will need to be reviewed to address any potential negative impact on the adjoining residential property to the south with respect to rear yard privacy. Should this application be approved, appropriate planning justification which addresses these matters will be required for the Zoning By-law Amendment application.

Summary

Applications B21/05 & B21/06 to create two new residential lots are generally consistent with the PPS, conform to the Growth Plan and the County Official Plan, and are generally in keeping with the Town's Official Plan and Zoning By-law. As noted, a Zoning By-law Amendment with further information will be required to provide justification for the proposed lot and building standards and to demonstrate that the building design addresses the applicable heritage policies and potential impacts to privacy of the rear yard of the adjoining lot to the south.

On January 1, 2022, an amendment to the Planning Act came into effect which has increased the period of time to satisfy conditions of approval of Consent applications, from one (1) year to two (2) years.

Financial Impact

Conditions are recommended requiring the payment of cash-in-lieu of parkland dedication for the new lot. The payment of development charges will be required for the new dwellings prior to Municipal Approval of a building permit.

Policies & Implications (if any) Affecting Proposal

Town of Shelburne Official Plan
Town of Shelburne Zoning By-law 38-2007

Consultation and Communications

The application was circulated to the required agencies and the public meeting was advertised in accordance with the Planning Act. This section summarizes the comments and responses received as of the writing of this report.

Community Responses

Two written comments were received from or on behalf of the owners/residents of 216 Owen Sound Street. The residents expressed concerns about privacy and safety concerns that they feel will be present if

the severed lots are approved with the intention of a semi-detached home being constructed. They also stated that the increase in dwelling units takes away from the “small town feel” that they have enjoyed about their neighbourhood.

Heritage Committee

The Consent applications were circulated to the Heritage Committee; however, the Heritage Committee did not have quorum and was unable to meet during the circulation period. The required zoning application will be circulated along with the supporting information required to address the building design and heritage policies of the Official Plan, and comments on the proposed semi-detached dwelling will be sought at that time.

Agency and Department Responses

- Bell Canada and the SDFD - no comments or concerns;
- Enbridge and Hydro One – no objections, standard requirements apply for the owner to connect to gas and hydro services
- NVCA – the property is not within a flood susceptible area, a hazardous site (characterized by unstable soils or bedrock), an erosion hazard area, or an area subject to NVCA’s regulations, and no Natural Heritage Features are present;
- Canada Post – no concerns; mail delivery will be provided in the same manner as for the surrounding area;
- County of Dufferin Building Department – no concerns;
- County of Dufferin Planning (WSP) – recommended consultation with the NVCA regarding source water protection (note: no sourcewater protection concerns have been identified, and the subject property is not within a Wellhead Protection Area);
- MTO - the subject property is outside of MTOs permit control area and thus the MTO has no comments;
- Director of Development & Operations and Town Engineer (SBA) - as summarized herein, servicing comments/information was confirmed and remaining reserve capacity and servicing allocation requirements were reviewed and discussed.

Supporting Documentation

Consent Sketch and Property Survey

Prepared by:

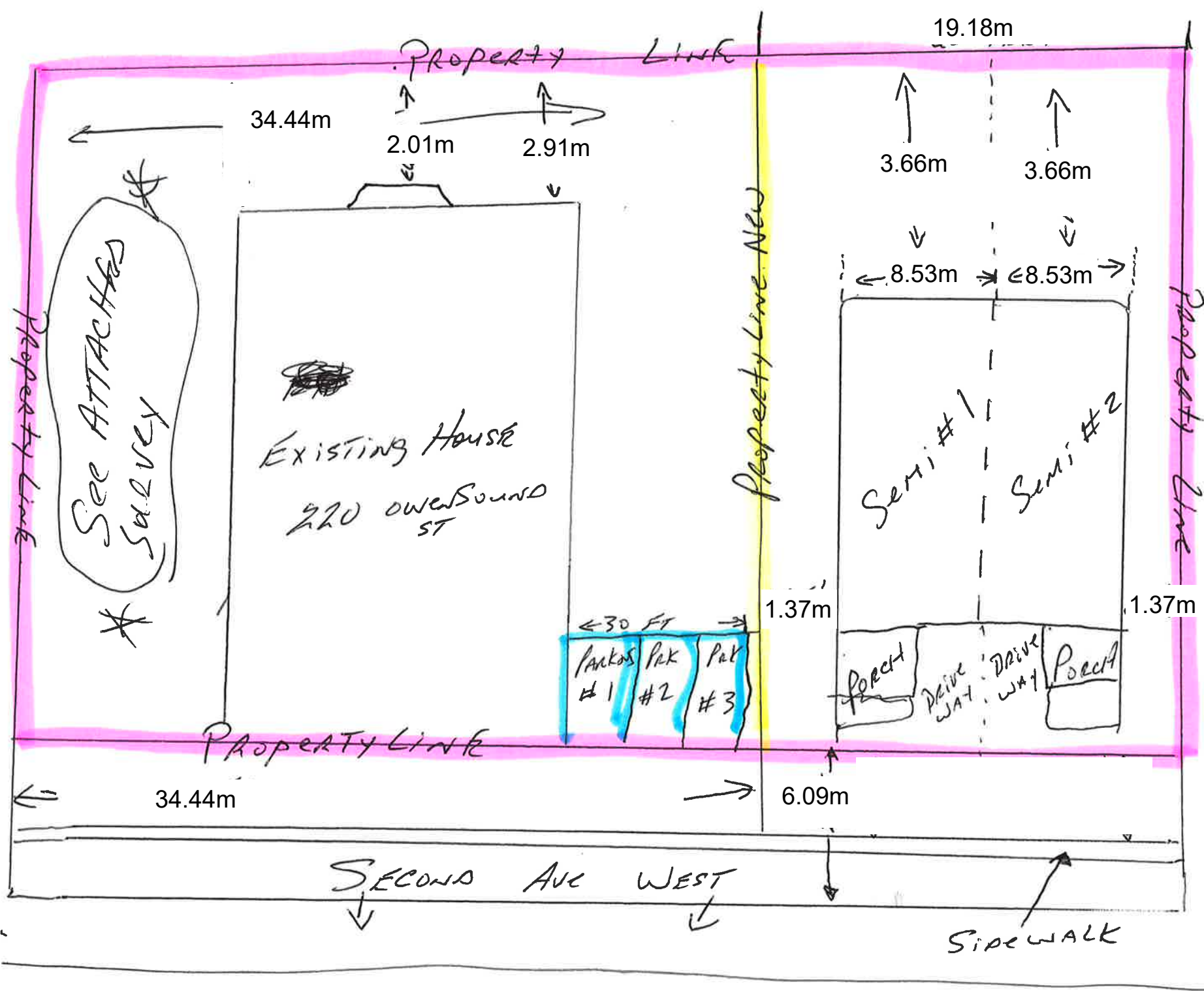
Jenna Daum, Planning Coordinator

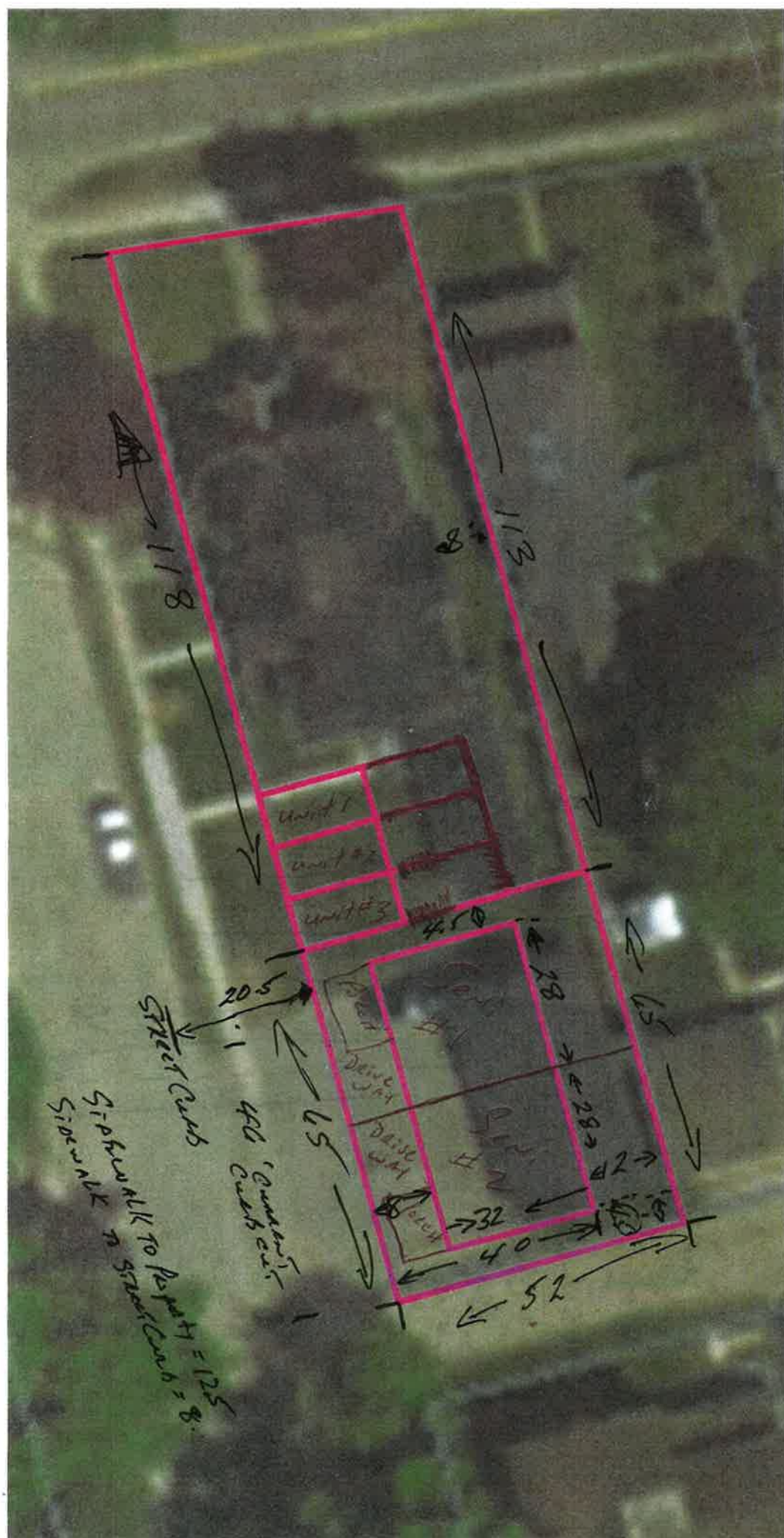
Reviewed by:

Steve Weber, Town Planner

15.19m

Owensound ST

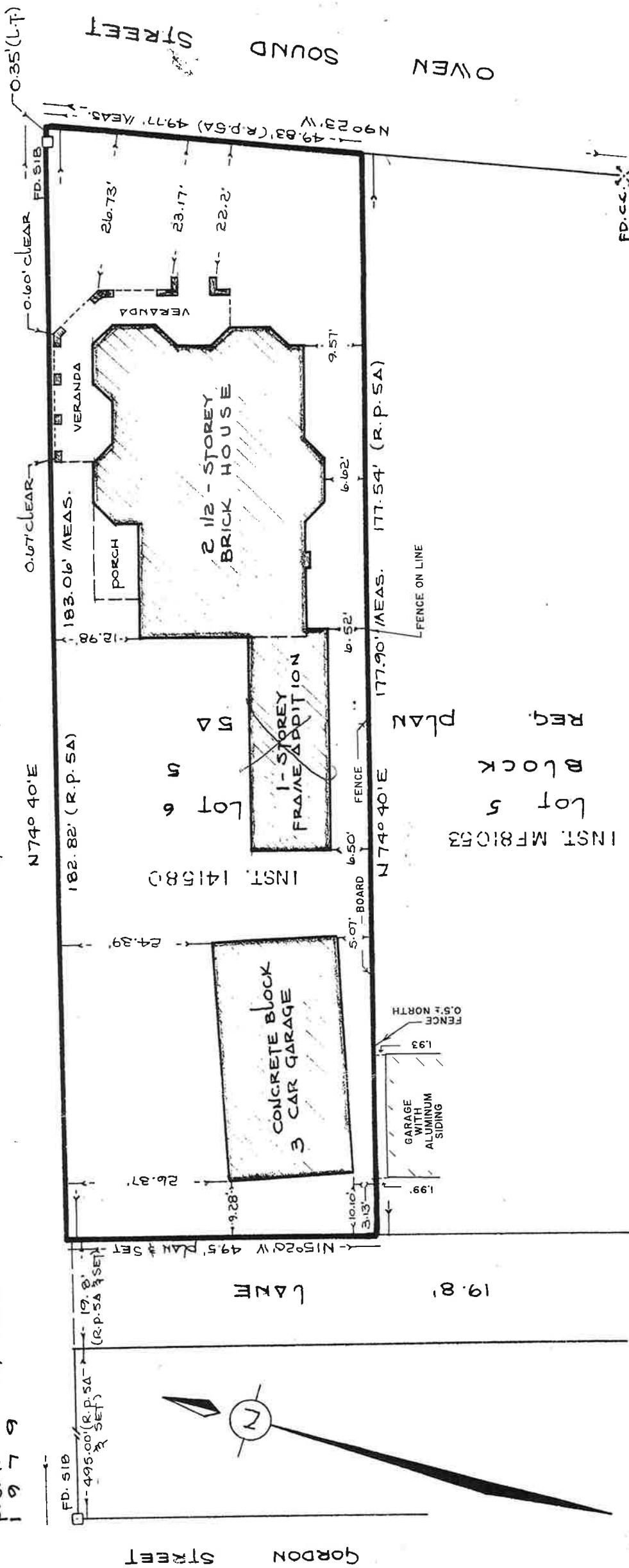




PLAN SHOWING LOCATION OF STRUCTURES ON
LOT 6, BLOCK 5,
REGISTERED PLAN 5A
TOWN OF SHELburne
COUNTY OF DUFFERIN

SCALE: 1"=20'
P.J. WILLIAMS, O.L.S.
1979

SECOND AVENUE
(FORMERLY STATION STREET)



LEGEND:

- DIB DENOTES STANDARD IRON BAR 1" SQ X 4' LONG.
- X C.C. DENOTES CUT CROSS.
- FD. DENOTES FOUND.
- MEAS. DENOTES MEASURED.
- L.T. DENOTES LLOYD TOMSON, O.L.S.
- R.P. 5A DENOTES REGISTERED PLAN 5A

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE
LOCATIONS OF THE STRUCTURES AS
SHOWN ON THIS PLAN ARE CORRECT.

* REVISIONS MADE TO PLAN
FEB. 28, 1989.
PROJECT # 3968

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