

PUBLIC HEARING**MUNICIPALITY OF HURON EAST****Tuesday, February 4th, 2020 – 7:02 P.M.**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, February 4th, 2020 at 7:02 p.m. All members of Council were in attendance with the exception of Councillor Dianne Diehl.

Also present for the public hearing were:

- Huron County Planning and Development Department Planner Laura Simpson
- Peter Bakos, applicant of minor variance application MV01-2020
- David Raithby, Ontario Land Surveyor, NA Geomatics, surveyor for the applicant of minor variance application MV01-2020
- John Gross, Laurel Peever, Carl Meikle, Robert Dinsmore, Joan Gowan, Jim Filleter, Anne Marie Bedard, Marty Bedard, Darlene Cronin, Madray Kuttan, Katherine Filleter, Kevin Bennewies, Scott Force, Candice Force, Marilyn MacKenzie, Clayton Mank, Craig Vanderveen, Richard Vanderveen, Ken McGrath and Waneeta McGrath, neighbouring property owners

CALL TO ORDER & MAYORS REMARKS

Mayor Bernie MacLellan called the meeting to order at 7:02 p.m.

CONFIRMATION OF THE AGENDA

Moved by Brenda Dalton and seconded by Zoey Onn: Adopt Agenda
That the Agenda for the Public Hearing of the Committee of Adjustment dated February 4th, 2020 be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Larry McGrath declared a pecuniary interest on the minor variance application MV01-2020 as he may be doing work on the subject property.

MINOR VARIANCE APPLICATION MV01-2020

The Clerk explained the purpose of the meeting was to consider a minor variance application by Elaine and Peter Bakos on 47 West Street, Plan 400, Lot 72, Block E, Seaforth Ward. The proposed minor variance is to permit the following:

1. Section 18.4 – reduce the minimum exterior side yard setback from 6 metres to 1.19 metres
2. Section 19.8 – reduce the minimum floor area for a one bedroom residential unit in a converted dwelling
3. Section 3.27.1 – reduce the required number of parking spaces per unit from 2 per unit to 1 per unit
4. Section 18.4 – increase the maximum lot coverage from 35% of the lot area to 37% of the lot area.

The Clerk advised that a notice of the Committee of Adjustment public hearing had been circulated to all government agencies and adjoining property owners as provided by the legislation and replies were received from the Huron County Planning and Development Department. Comments were also received on February 3rd, 2020 from Marilyn MacKenzie, Katherine Filleter and Jim Filleter.

Huron County Planning and Development Department

Huron County Planner Laura Simpson reviewed her report to Council dated January 30th, 2020 concerning the minor variance application on 47 West Street, Plan 400, Lot 72, Block E, Seaforth Ward. Ms. Simpson noted that the report will be provided for information and discussion purposes only with no recommendation as additional comments were received following the writing of the report and the public hearing will provide more information to Council prior to making a decision on the application.

Ms. Simpson advised the purpose of the application is to permit a reduced exterior side yard setback for an addition to the existing house, recognize an undersized residential unit, increase the maximum lot coverage, and reduce the parking requirements for the proposed dwelling units. The requested variances are as follows:

- reduce the exterior side yard setback from 6 metres to 1.19 metres
- reduce the minimum floor area for a one bedroom residential unit
- reduce the parking spaces from 2 per unit to 1 per unit
- increase the maximum lot coverage from 35% to 37%

Ms. Simpson noted that the subject property is 780 square metres and contains an existing dwelling and detached garage. The property is zoned Residential Medium Density (R2) in the Huron East Zoning By-Law and is designated Residential in the Huron East Official Plan. The owners are proposing to remove the garage and convert the existing dwelling into four residential units, with an addition to accommodate an entrance and stairwell on the north side of the house and an addition at the rear of the house on the western portion of the property. The addition on the north side requires a reduction in the exterior side yard to 1.19 metres. The existing house is at a setback from the exterior lot line of 3 metres, resulting in the addition being 1.8 metres closer to the exterior side lot line. The residential units proposed are three 2-bedroom units and one 1-bedroom unit. The application requests a reduction in the minimum square footage of a 1-bedroom unit (55 square metres) to accommodate the layout for four residential units. Each residential unit is proposed to have one corresponding parking space, a reduction from the required 2 parking spaces per residential unit in the Huron East Zoning By-Law. There is also a 2-car garage proposed in the addition to the rear of the house, which is not included in the 4 on-site parking spaces identified. The additions to the existing dwelling will increase the lot coverage of the property to 37%, 2% over the maximum lot coverage for a converted dwelling.

Councillor Joe Steffler questioned whether the reduced minimum exterior side yard setback from 6 metres to 1.19 metres was minor noting he was concerned the building would be too close to the street. Councillor Steffler also questioned the parking with only one vehicle per unit as well as the potential problem it may create in the winter.

Planner Laura Simpson advised the existing house does not meet the exterior side yard setback noting it is at 3 metres therefore the reduction from what is physically on the property would be from 3 metres to 1.19 metres. Ms. Simpson also advised that as part of upcoming housekeeping amendments to the Huron East Zoning By-Law, parking requirements will be considered as currently the garage parking is not considered when calculating for the required parking spaces.

Deputy Mayor Bob Fisher expressed support for the applicant noting this type of proposal to provide more intensification in residential lots is needed in the community but he questioned the parking and whether two additional parking spots could be found on the property.

Peter Bakos, the applicant of the minor variance application, advised it is the intent that he would be living in one of the units and use the parking spaces located within the garage; therefore the remaining parking spots would be available for tenants of the remaining three apartments. Mr. Bakos noted the building was beyond repair for a single family home and it was his intent to restore and enhance the appearance of the building.

Comments received from the members of the public:

Laura Peever (69 West Street)

- questioned the variance on the north side of property and whether the trees would be removed, in particular a large maple tree, noting the variance down to 1.19 metres will be very close to the lot line

Response: Mr. Bakos advised one maple tree close to building will be cut as it is hitting the fascia and soffit of the building and efforts will be made to keep as many remaining trees as possible. Mr. Bakos also noted that the variance for the exterior side yard setback is required only for the area of the old porch that is coming down to allow a new porch to be built. That variance is not needed for the entire length of the residence.

Richard Vanderveen (65 West Street)

- questioned where the 6 parking spots were located and having 2 within the garage would be difficult as moving vehicles with tenants involved doesn't work well

Response: Mr. Bakos advised the 2 parking spots in the garage would be used by him and he was not concerned with moving vehicles.

John Gross (69 West Street)

- questioned the allowance for snow provisions in the winter and where to put the snow

Response: Mr. Bakos noted as the property owner he would be responsible for snow removal and he indicated snow removed from the driveways/parking spaces would either be piled on the property or removed.

Candis Force (40 West Street)

- questioned a cement barrier wall and noted the board fence that is there now is actually outside the property line.

Response: OLS David Raithby advised a small retaining wall is proposed inside the property line that will provide a small lift to the property to maintain drainage within the property and eventually to the street

Anne Marie Bedard (52 West Street)

→ concerned about parking and having 2 within the garage noting car shuffling would be difficult

Response: Mr. Bakos advised he has 2 vehicles that would be in the garage and with the other 3 units rented they would have 3 vehicles and that would allow one spot open in front of the garage for use of his vehicles.

Joan Gowan (80 Centre Street)

→ questioned whether additional parking areas could be located on the property to address the variance for parking

Ken McGrath (43 West Street)

→ questioned what is being done about the underground oil tank located on the property

Response: Mr. Bakos advised he was aware of the oil tank to be removed and it will be removed.

Darlene Cronin (73 Centre Street)

→ expressed support to Elaine and Peter Bakos for taking the time and effort to renovate the building noting she has lived beside the property for 32 years and seen the deterioration. Ms. Cronin also noted the community is in need of apartments and she is very supportive of the project.

Scott Force (40 West Street)

→ questioned how close to the sidewalk the building would be and which way the roof would slope.

Response: Mr. Raithby advised plans were available and could be reviewed.

Mayor MacLellan advised all comments will be considered by the Committee and suggested a decision be deferred on the application to allow the Planner to investigate further and provide an updated report for consideration at the next meeting of Council.

Moved by Robert Fisher and seconded by John Lowe:

That Council of the Municipality of Huron East, acting as Committee of Adjustment, acknowledge the recommendation of the Huron County Planning Department and defer minor variance application MV01-2020 by Elaine and Peter Bakos on 47 West street, Plan 400, Lot 72, Block E, Seaforth Ward to the next regular meeting of Council to allow the Planner to investigate further the public comments received and provide an updated planning report for consideration by Council.

Moved by Alvin McLellan and seconded by Brenda Dalton:

That the Public Hearing for the Committee of Adjustment be closed at 7:31 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk