



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COMMITTEE OF ADJUSTMENT AGENDA

Wednesday, October 26, 2022, 7:00 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

*****ZOOM MEETING** - Contact acooper@westlincoln.ca before 4 pm on the day of the meeting for an invitation if you would like to participate.

	Pages
1. CHAIR	
The Chair will call to Order the evening's proceedings.	
2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST	
3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT	
There are no requests for withdrawal and/or adjournment at this time.	
4. APPLICATIONS	
a. A25/2022WL - Marz Homes (Smithville West) Inc.	3
Property Address: Blocks 65 & 86, Thrive Subdivision – Lot 9, Plan M98	
A minor variance application has been applied for to permit townhouse dwellings on the subject property with provisions from the Township's Zoning By-law 2017-70, for RM3 zones. 5 minor variances are being requested:	
<ul style="list-style-type: none">• A reduced Lot Area of 165sq.m for two-storey townhouse dwellings on the subject property, from the required 180sq.m for townhouse dwellings.• An increased Lot Coverage of 53% for two-storey townhouse dwellings on the subject property, from the required 50% for townhouse dwellings.• A reduced Rear Yard Setback of 6.9m for 1 or 1.5-storey townhouse dwelling, from the required 7.5m for adjoining a lot in a Low Density Residential Zone.• A reduced Rear Yard Setback of 3.7m (abutting the westerly lot line) for 1 or 1.5-storey townhouse dwelling, from the required	

6m for adjoining a lot in any other zone.

- An increased Lot Coverage of 57% for 1 or 1.5-storey townhouse dwelling, from the required 50% for townhouse dwellings.

5. MINUTES FOR APPROVAL

There are no Minutes for approval at this time.

6. NEW BUSINESS

7. ADJOURNMENT

DATE: October 26th, 2022

REPORT NO: COA-029-22

SUBJECT: **Recommendation Report**
Application for Minor Variance by Marz Homes (Smithville West) Inc.
Blocks 65 & 86, Thrive Subdivision – Lot 9, Plan M98
File No. A25/2022WL

CONTACT: Gerrit Boerema, Senior Planner

OVERVIEW:

- A minor variance application has been submitted by IBI Group (Agent: Jared Marcus) on behalf of Marz Homes (Smithville West) Inc., owner of the subject lands, legally referred to as Lot 9, Plan M98 in the urban area of Smithville. Specifically, the minor variances are being proposed within condominium Blocks 65 and 86 from the Draft approved Plan of Subdivision found in attachment 2.
- The subject lands have a total lot size of approximately 8.33 hectares and is zoned as Residential Medium Density 'RM3', Residential Low Density 'R3', Open Space Recreation, Open Space, Residential Medium Density 'RM4' and Commercial 'C2'.
- The subject lands abut West Street (Regional Road 20) to the south, South Grimsby Road 5 to the east, and the CP Rail Line to the north, and a mix of agricultural and institutional uses to the west.
- Marz Homes (Smithville West) Inc. are proposing townhouse dwellings on the subject lands, as part of the Thrive Subdivision in Blocks 65 & 86 with variances to 5 provisions of the Township's Zoning By-law 2017-70, for Residential Medium Density 'RM3' zones.
- This Minor Variance application has been applied for to permit variances to the following 5 provisions:
 - a reduced lot area of 165sq.m for two-storey townhouse dwellings on the subject property, from the required 180sq.m for townhouse dwellings.
 - an increased lot coverage of 53% for two-storey townhouse dwellings on the subject property, from the required 50% for townhouse dwellings.
 - a reduced rear yard setback of 6.9m for 1 or 1.5-storey townhouse dwelling, from the required 7.5m for adjoining a lot in a Low Density Residential Zone.
 - a reduced rear yard setback of 3.7m (abutting the westerly lot line) for 1 or 1.5-storey townhouse dwelling, from the required 6m for adjoining a lot in any other zone.
 - an increased lot coverage of 57% for 1 or 1.5-storey townhouse dwelling, from the required 50% for townhouse dwellings.
- Any alterations that do not meet the current zoning bylaw regulations require approval through a minor variance, and is therefore the reason behind this application.
- The Marz Thrive development was given Draft Plan of Subdivision in 2021 and a zoning bylaw was passed. The applicants are currently going through the draft plan of Condominium process. Following draft plan of condominium approval, site plan approval will also be required for each block.
- After reviewing the four tests of a minor variance planning staff recommend

RECOMMENDATION:

1. THAT, the application for Minor Variance made by IBI Group (Agent: Jared Marcus) on behalf of Marz Homes (Smithville West) Inc. as outlined in Report COA-029-22, to permit 2-storey, 1.5 storey, and 1 storey townhouse dwellings with variances to 5 provisions for Residential Medium Density 'RM3' zones within condominium Blocks 65 and 86 of the Thrive Subdivision, BE APPROVED.

ALIGNMENT TO STRATEGIC PLAN

Theme #3

- Strategic, responsible growth

BACKGROUND:

The subject lands legally known as Lot 9, Plan M98 is located abutting West Street (Regional Road 20) to the south, South Grimsby Road 5 to the east, and the CP Rail Line to the north, and a mix of agricultural and institutional uses to the west. The approximate area of the subject lands is 8.33 hectares. There is approximately 159 metres of lot frontage along South Grimsby Road 5, and 211 metres along West Street. The subject lands are currently vacant, with the majority of the property cleared except for the north-western portion that is grass-covered and has a few noted trees. As well, in the southern boundary, there is also a chain-link fence separating the subject lands from the abutting properties at 6615 - 6633 Regional Road 20.

The proposed development, referred to as 'Thrive' consists of a variety of residential units, a storm water management pond, open space, and approximately 224 residential units. In 2021, the Thrive development was given Draft Plan of Subdivision approval and a zoning bylaw amendment was passed. The zoning bylaw amendment approved did not include any of the requested site specific modifications, which were similar to the ones currently being requested at this time. Additionally, Draft Plan of Condominium and site plan approval will also be required for each block. Blocks 65 and 86 from the Draft approved Plan of Subdivision require minor variances which is the reason behind this application.

Marz Homes (Smithville West) Inc. are proposing townhouse dwellings with variances to 5 provisions of the Township's Zoning By-law 2017-70, for Residential Medium Density 'RM3' zones. These include a reduced lot area of 165sq.m and an increased lot coverage of 53% for two-storey townhouse dwellings, from the required lot area of 180sq. m and 50% lot coverage for townhouse dwellings. As well as, a reduced rear yard setback of 6.9m and a reduced rear yard setback of 3.7m (abutting the westerly lot line) for 1 or 1.5-storey townhouse dwelling, from the required 7.5m for adjoining a lot in a Low Density Residential Zone and 6m for adjoining a lot in any other zone, and an increased lot coverage of 57% for 1 or 1.5-storey townhouse dwelling, from the required 50% for townhouse dwellings.

The applicants have also submitted a Planning Justification Brief completed by IBI Group, which can be found in attachment 3.

As the proposal, with the detailed modifications do not meet the current zoning provisions, the applicants have submitted a minor variance application to permit relief from the five requirements outlined in the Township's Zoning By-law 2017-70, for Residential Medium Density 'RM3' zones.

CURRENT SITUATION:

Planning Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

Provincial Policy Statement (PPS)

The subject lands are located within a designated Settlement Area. Section 1.1.3 (Settlement Areas) of the PPS states that the focus of these areas shall be for growth and development. Land use patterns within Settlement Areas shall be based on densities and a mix of land uses that efficiently use land and resources. To accommodate projected needs, the PPS recognizes that promoting a range of housing options is an important step planning authorities shall encourage. As well, the PPS recognizes that appropriate development standards shall also be promoted to mitigate risks to public health and safety. As such, the subject lands and Thrive development follow the general intent of the PPS. A further review of the Thrive Developments alignment with the PPS can be found within the Planning Reports to Planning Committee and Council at the time of their draft plan approval.

Does the proposal maintain the general intent and purpose of the Official Plan?

Yes

In the Regional Official Plan, the subject lands are designated as a Greenfield Area within the urban area boundary. Section 4 (Managing Growth) of the ROP states, that the majority of growth and development shall be directed to existing Urban Areas. One of the main objectives is to build compact, mixed use, transit supportive and active transportation friendly communities within designated Greenfield Areas.

As outlined in section 4.C.5, Greenfield growth and development shall be planned as compact and complete communities. Complete communities have a diverse mix of land uses, housing types, high quality public spaces, and provides easy access to local stores and services. This can be achieved by providing opportunities for integrated, mixed land uses, and ensuring development is orderly and contiguous with existing built-up areas. Furthermore, growth shall be directed in a manner that promotes efficient use of existing municipal sewage and water services. As such, the subject lands follow the general intent of the Regional Official Plan.

In the Township's Official Plan, the subject lands are designated as a Greenfield Area within the Urban Settlement Area of Smithville. The subject lands are also designated as Low, Medium and High Density Residential within the Northwest Quadrant Secondary Plan. Section 5.6 of the Official Plan defines Greenfield Areas as larger tracts of undeveloped lands that are intended to accommodate new residential and employment growth.

Section 5.10 of the Official Plan outlines the Greenfield Strategy. It's the intent that development in Greenfield areas will create compact, multi-modal, mixed-use communities with a range of housing types in an efficient manner. The Greenfield Strategy also recognizes the Provincial and Regional density requirement, as such the Township will require a minimum combined gross density target of 50 persons and jobs per hectare across all Designated Greenfield Areas.

Additionally, Section 6 of the Official Plan outlines the policies and objectives for the Urban Settlement Area. The intent of the Urban Settlement Area is to protect and enhance the existing character of Smithville, and ensure new developments maintain compatibility with existing development. The intent is also to improve the quality of life for current and future West Lincoln residents. The main objectives are to promote mixed use development in appropriate locations in Smithville, to facilitate a range of dwelling types and ownership forms to foster more affordability, and to encourage high quality design that is also environmentally sustainable.

Furthermore, Section 6.11.5 of the Official Plan outlines the policies and vision for the Northwest Quadrant Secondary Plan. The intent of the Secondary Plan is to guide development in a manner that integrates new Greenfield development with existing urban neighbourhoods and adjacent rural lands while protecting environmental features and agricultural uses in the surrounding area.

The vision of the Northwest Quadrant is also proposed primarily to be developed as a complete community with residential uses, integrated parks and an open space system. By 2031, the Northwest Quadrant area has the potential to accommodate a minimum of 570 new residential units, and is expected to function as a prominent gateway into the urban area of Smithville. There is also a maximum gross density target of 20 to 30 units per hectare for new residential developments in the Designated Greenfield area.

Additionally, the intended development in the Northwest Quadrant shall primarily consist of low and medium density residential neighbourhoods, with the opportunity for limited high density residential in key locations. It is also important that development in the Northwest Quadrant reflect the small town character of Smithville and provide an attractive, high-quality, safe, sustainable, interconnected, and pedestrian-friendly community for future residents.

As outlined in section 6.2 of the Official Plan, Low Density Residential designation permits single detached dwellings, semi-detached dwellings, linked semidetached dwellings, accessory apartments, and duplexes. Section 6.3 outlines the permitted uses within the Medium Density Residential designation which include townhouses and other forms of multiple unit ground related housing and low-rise apartment buildings. Additionally, section 6.4 outlines the permitted uses for High Density Residential areas which include low and mid-rise apartments, triplexes and townhouses, parks and open spaces. All Residential designations shall also ensure compatibility with adjacent properties, the character and image of the surrounding community, and be consistent with the Township's urban design standards.

Respecting Our Roots, Realizing Our Future

The applicants have also submitted a Planning Justification Brief completed by IBI Group, which can be found in attachment 3. The Justification Brief offers the conclusion that the proposed development conforms to and is consistent with the applicable planning policy, legislative documents, and is compatible with the existing neighbourhood. The report also states that the proposed development presents an approximate 224 residential unit count and maintains the visible character with the existing conditions in close proximity.

Therefore, this application follows the above intents and as such, the minor variance meets the general intent of the Township's Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?
Yes

Blocks 65 and 86 of the subject property are zoned Residential Medium Density 'RM3'. In the Thrive Subdivision, condominium Blocks 65 and 86 will be zoned for Residential Medium Density 'RM3'. The Residential Medium Density 'RM3' zone requirements are outlined in the table below, along with the applicant's proposed provisions, and the deficiency between the two.

Zoning Requirement	Proposed Variance	Deficiency	Units Affected
<i>Minimum Lot Area:</i> 180 square metres	<i>Lot Area:</i> 165 square metres for 2-storey townhouse dwellings	15 square metres	47 units (Blocks B, F, G, I-P & Block 86)
<i>Maximum Lot Coverage:</i> 50%	<i>Lot Coverage:</i> 53% for 2-storey townhouse dwellings	3%	47 units (Blocks B, F, G, I-P & Block 86)
<i>Maximum Lot Coverage:</i> 50%	<i>Lot Coverage:</i> 57% for 1 or 1.5 storey townhouse dwellings	7%	12 units (Blocks A, C, D, E & H)
<i>Minimum Rear Yard Setback:</i> 7.5 metres for adjoining a lot in a Low Density Residential Zone	<i>Rear Yard Setback:</i> 6.9 metres for 1 or 1.5 storey townhouse dwellings	0.6 metres	15 units (Blocks C, D & E)
<i>Minimum Rear Yard Setback:</i> 6 metres for adjoining a lot in any other zone	<i>Rear Yard Setback:</i> 3.7 metres for 1 or 1.5 storey townhouse dwellings	2.3 metres	1 unit (Block H)

	(abutting the westerly lot line)		
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As condominium Blocks 65 and 86 of the Thrive Subdivision require a number of zoning provisions from the Township's Zoning By-law 2017-70, a minor variance application is required to permit the deficient requirements.

The main concern Planning Staff have is with the variance to reduce lot area because the subject lands are designated as Greenfield development and complying with the Zoning By-law should not be an issue. However, the applicants have noted in their Planning Justification Brief that the reduced lot area is to ensure that an appropriate dwelling can be constructed within the lot, and note that the functionality of the proposed development will not be negatively impacted by the requested variances. Further the reduction in lot area effects a total of 47 units, specifically Blocks B, F, G, I-P, and Block 86 are impacted by this variance.

In regards to the reduced rear yard setback, the minimum requirement of 7.5 metres and 6 metres is to ensure Residential lots in Medium Density 'RM3' zones have adequate amenity space and separation from adjacent properties. As noted in the applicants' Planning Justification Brief, the proposed reduction in the rear yard setback will still provide ample amenity space and privacy for the impacted lots. It also states that the reduced provision will not negatively impact the surrounding area and is in keeping with the surrounding residential development patterns. However, Planning Staff would like it noted that the rear yard setback should be able to comply with the Zoning By-law as the subject lands are designated for Greenfield development.

Additionally, the required lot coverage of 50% for townhouse dwellings is to ensure there is adequate space for development and amenity space for each lot, and ensures a parcel of land will not be overdeveloped. Lot coverage also ensures future development will be compatible with existing built-up areas and will maintain the character of the surrounding community. In the applicants' Planning Justification Brief, they note that there is adequate space on the subject lands for landscaping and amenity space and that the increased lot coverage will not impact the overall character of the area.

Furthermore, the applicants also state in their Planning Justification Brief that "the minimum and maximum requirements in the By-law do not contemplate bungalow townhouse built form and layout and the requested 2-storey townhouse variances are based on a known unit size, rather than a dwelling built to fit a prescribed lot and building envelope size." Therefore, even though the proposed provisions defer slightly from the Zoning By-law, the Thrive Subdivision will provide an appropriate residential neighbourhood that is compatible with the existing area and does not negatively impact the surrounding community.

Township staff believe that the zoning bylaw could be complied with as the subject lands are greenfield and vacant, however, staff also acknowledge that through compliance with the zoning bylaw, a number of units would most likely be lost and may not represent the

most efficient use of the land and infrastructure. Additionally, staff note that the majority of the variances being requested are within a future condominium site and the impact is contained within the condominium site.

Staff also note that a project is underway to review all of the residential zone regulations within the zoning bylaw to ensure alignment with the Provincial, Regional and Local planning policy. This may result in changes impacting future developments.

As such, the proposed Minor Variance application meets the general intent of the Township's Zoning Bylaw

Is the proposal desirable for the appropriate development or use of the land?

Yes

The subject Blocks are within the Residential Medium Density designation of the Northwest Quadrant Secondary Plan area. The proposed condominium developments within Blocks 65 and 86 meets the density and other policy criteria within the Secondary Plan. Although the majority of the changes have an impact on a significant proportion of the units within Blocks 65, such as the changes to the minimum lot area, the backyards are generally the same size as what would exist on townhouse lots that conform to the zoning bylaw.

Further, the zoning modifications are limited to within internal future private condominium sites and within a development that is not yet constructed. Therefore, there are limited impacts to any existing residents who may have concerns regarding rear lot line setbacks and lot area.

As such, the variances proposed is an appropriate development for the subject land.

Is the proposal minor in nature?

Yes

As shown in the table above, the proposed variances impact a significant number of units within Block 65. Essentially all of the internal units within each block of townhouse units is either deficient of lot area (two storey townhouses) or rear lot line setbacks (bungalow townhouses). The reductions to lot area and rear yard setback in these cases is relatively minor, however, it is important to note that the subject lands are vacant and have been granted zoning approval for the least restrictive medium density residential zone provisions (RM3). While staff believe that compliance is achievable, it would most likely result in the loss of units. As the variances are confined to future private condominiums, and there are currently no surrounding residents impacted by the proposed variances, staff can consider the proposal minor in nature. However, staff are currently undertaking a review of the residential zone regulations within the Township's zoning bylaw and stress that following completion of this review and implementation of any changes, there will be a greater focus on ensuring greenfield developments comply with the zoning provisions.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

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INTER-DEPARTMENTAL AND PUBLIC COMMENTS:

Notification was initially mailed to all applicable agencies, departments and members of the public within 60 metres of the subject property on September 1st, 2022. The application was adjourned from the September Committee of Adjustment hearing. Notification was then mailed to all applicable agencies, departments and members of the public within 60 metres of the subject property on October 12th, 2022.

At the time of writing this report, a comment was received from the Niagara Peninsula Conservation Authority who offer no objections to this application. However, the NPCA have provided Conditions of Draft Plan Approval that need to be addressed prior to any commencements of work on site. The Township's Public Works department have also reviewed the application and offer no objection. However, Public Works note they cannot comment on any potential impacts from a reduced rear yard setback of 3.7m (abutting the westerly lot line) for a 1 or 1.5 storey townhouse dwelling as a block plan for the lands have not yet been submitted. Furthermore, the Niagara Region have also reviewed the application and offer no comments at this time.

CONCLUSION:

A Minor Variance application has been submitted by IBI Group (Agent: Jared Marcus) on behalf of Marz Homes (Smithville West) Inc. The five variances outlined in Report COA-029-22 are to permit 2-storey, 1.5 storey, and 1 storey townhouse dwellings with variances to 5 provisions for Residential Medium Density 'RM3' zones within condominium Blocks 65 and 86 of the Thrive Subdivision.

Planning staff have reviewed this application against the four tests of a Minor Variance and against the applicable planning policies and recommend support for Blocks 65 and 86 with a reduced lot area of 165sq.m and increased lot coverage of 53% for 2-storey townhouse dwellings, and a reduced rear yard setback of 6.9m and a reduced rear yard setback of 3.7m (abutting the westerly lot line) for 1 or 1.5-storey townhouse dwelling. As well as, an increased lot coverage of 57% for 1 or 1.5-storey townhouse dwelling, subject to addressing any concerns or conditions through the completion of the draft plan of condominium and site plan process.

ATTACHMENTS:

1. Location Map
2. Draft Approved Plan of Subdivision- Blocks 65 and 86
3. Planning Justification Brief
4. Agency Comments

Prepared by:

Gerrit Boerema, RPP, MCIP
Senior Planner

Brian Treble, RPP, MCIP
Director of Planning and Building





Location Map
Lot 9, Plan M98

0 62.5 125 250 Meters

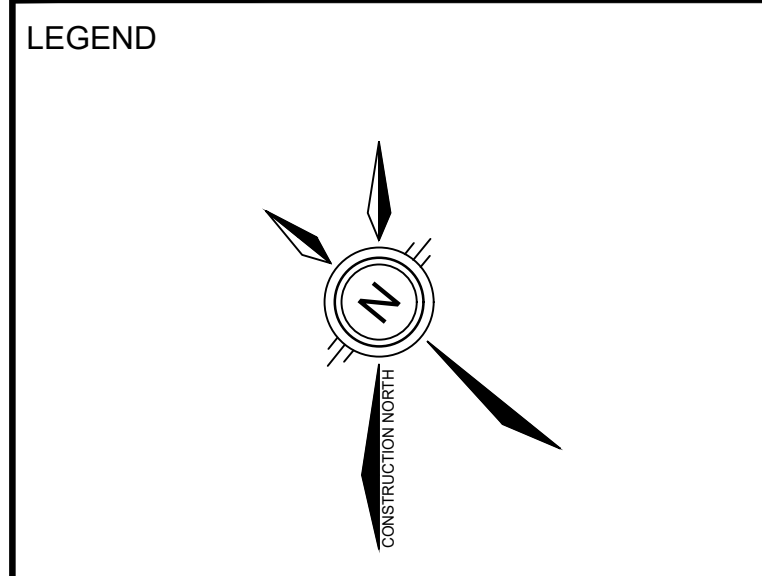
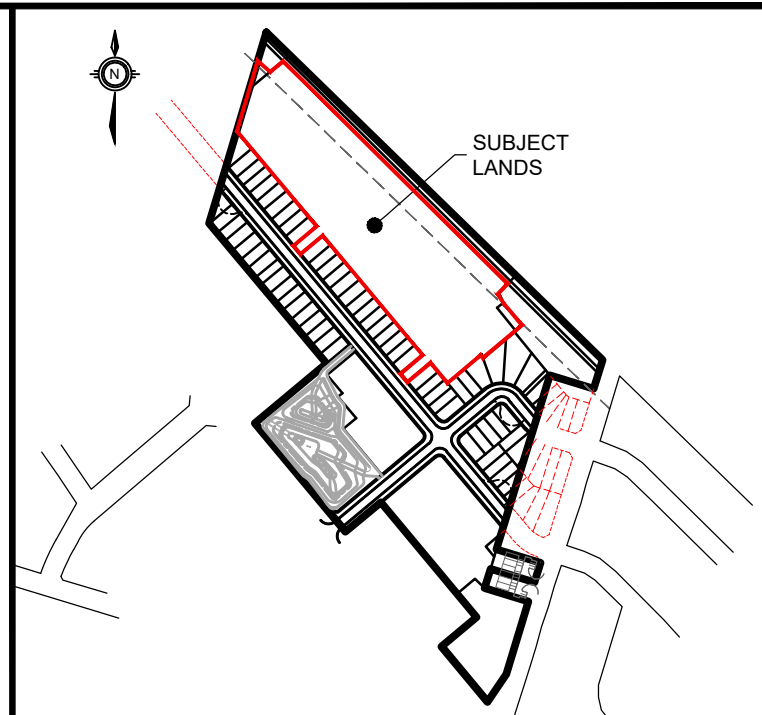
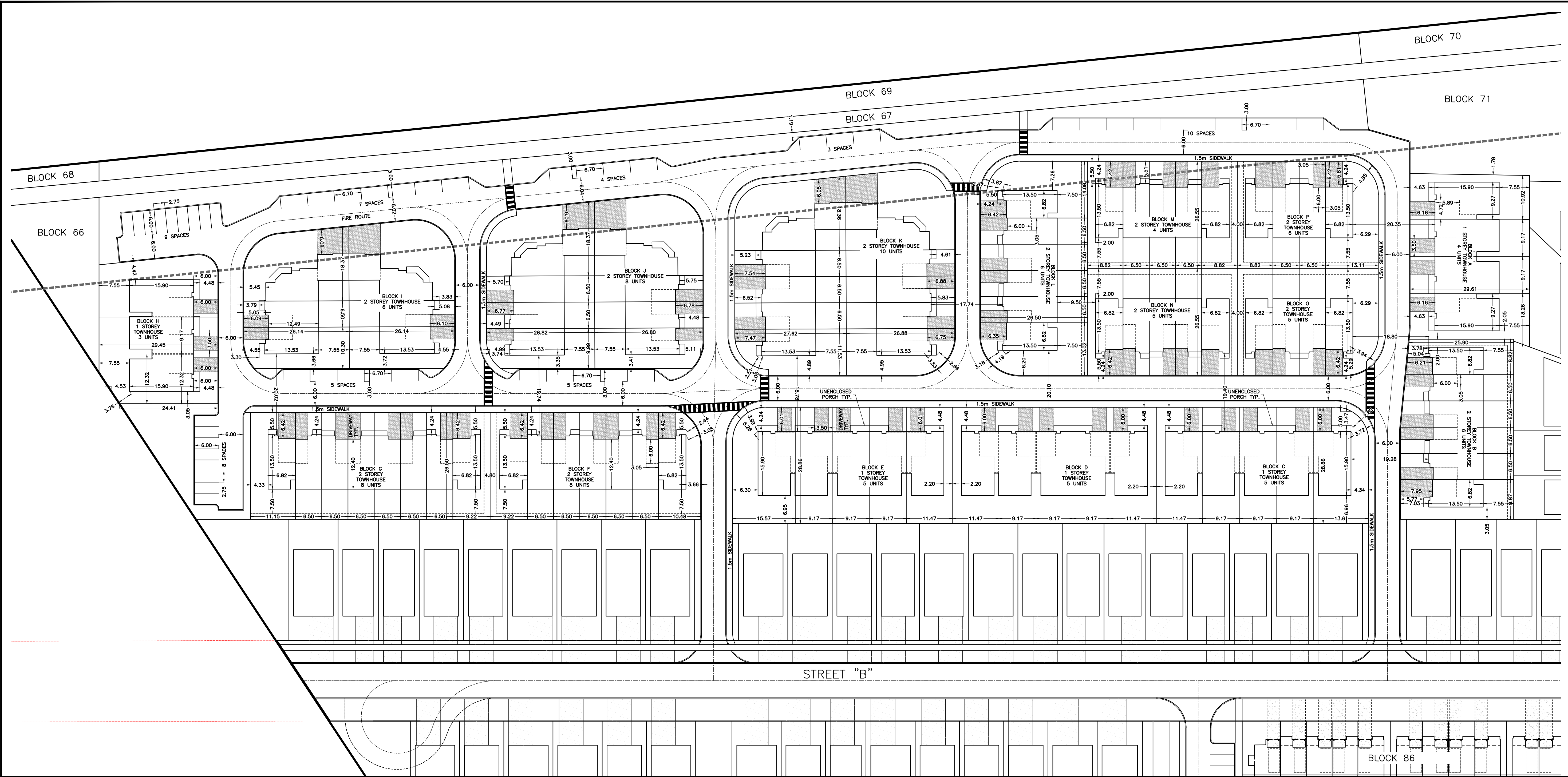
West Lincoln

Page 12 of 43

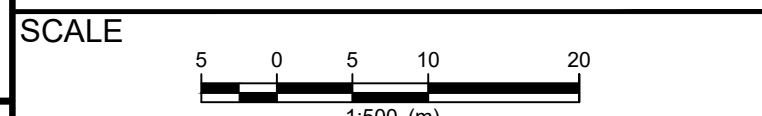
Legend

-  Subject Property
-  Zone Boundary

Oct 2022



NOT FOR CONSTRUCTION



DESIGN BY:	A. BUONAMICI	CHECKED BY:	J. MARCUS
DRAWN BY:	S. CHALMERS	DATE:	2020-03-16
5	2022-08-09	JM	MINOR VARIANCE SUBMISSION
4	2022-01-21	JM	PRE-CONSULTATION SUBMISSION
3	2021-10-01	JM	FOURTH DRAFT PLAN SUBMISSION
2	2021-09-19	JM	THIRD DRAFT PLAN SUBMISSION
1	2021-06-29	JM	SECOND DRAFT PLAN SUBMISSION
0	2020-05-04	SC	FIRST DRAFT PLAN SUBMISSION
#1	DATE	BY	DESCRIPTION

DRAWING ISSUE RECORD

APPROVALS

IBI GROUP
200 East Wing-360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

TOWNSHIP OF
WEST LINCOLN

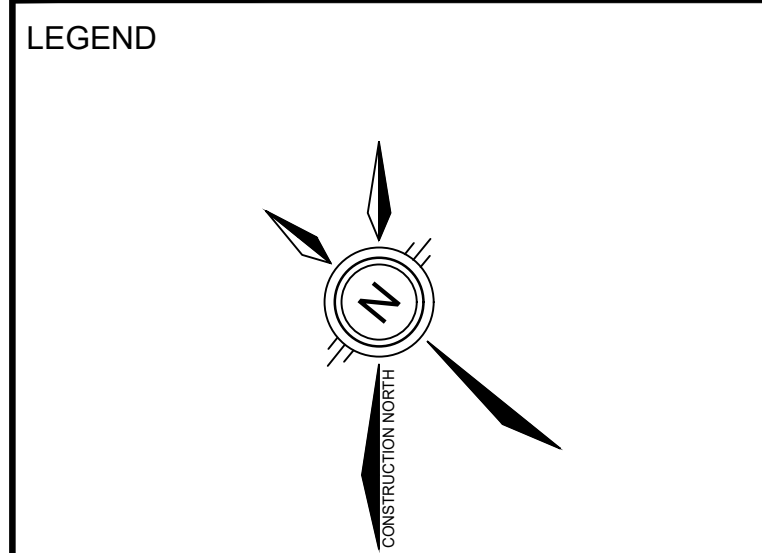
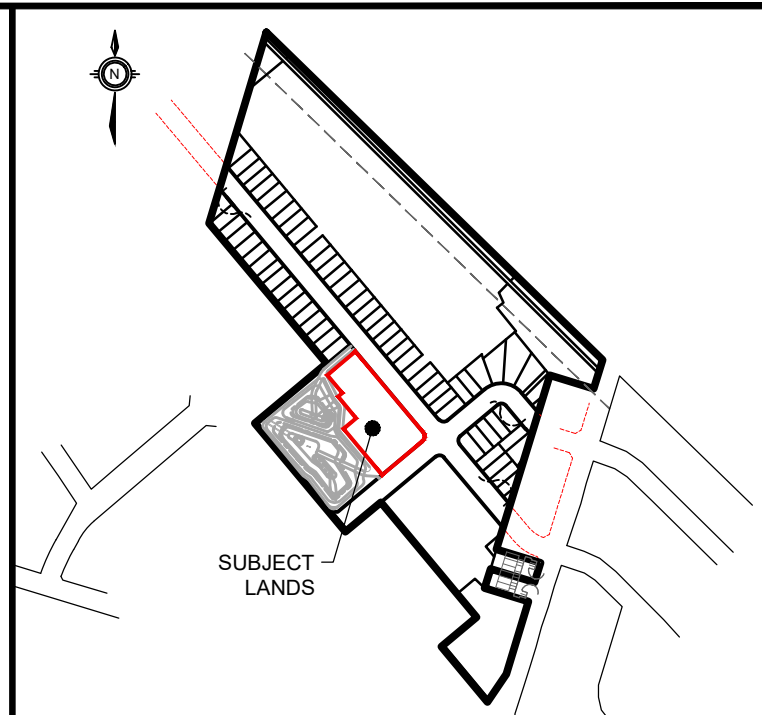
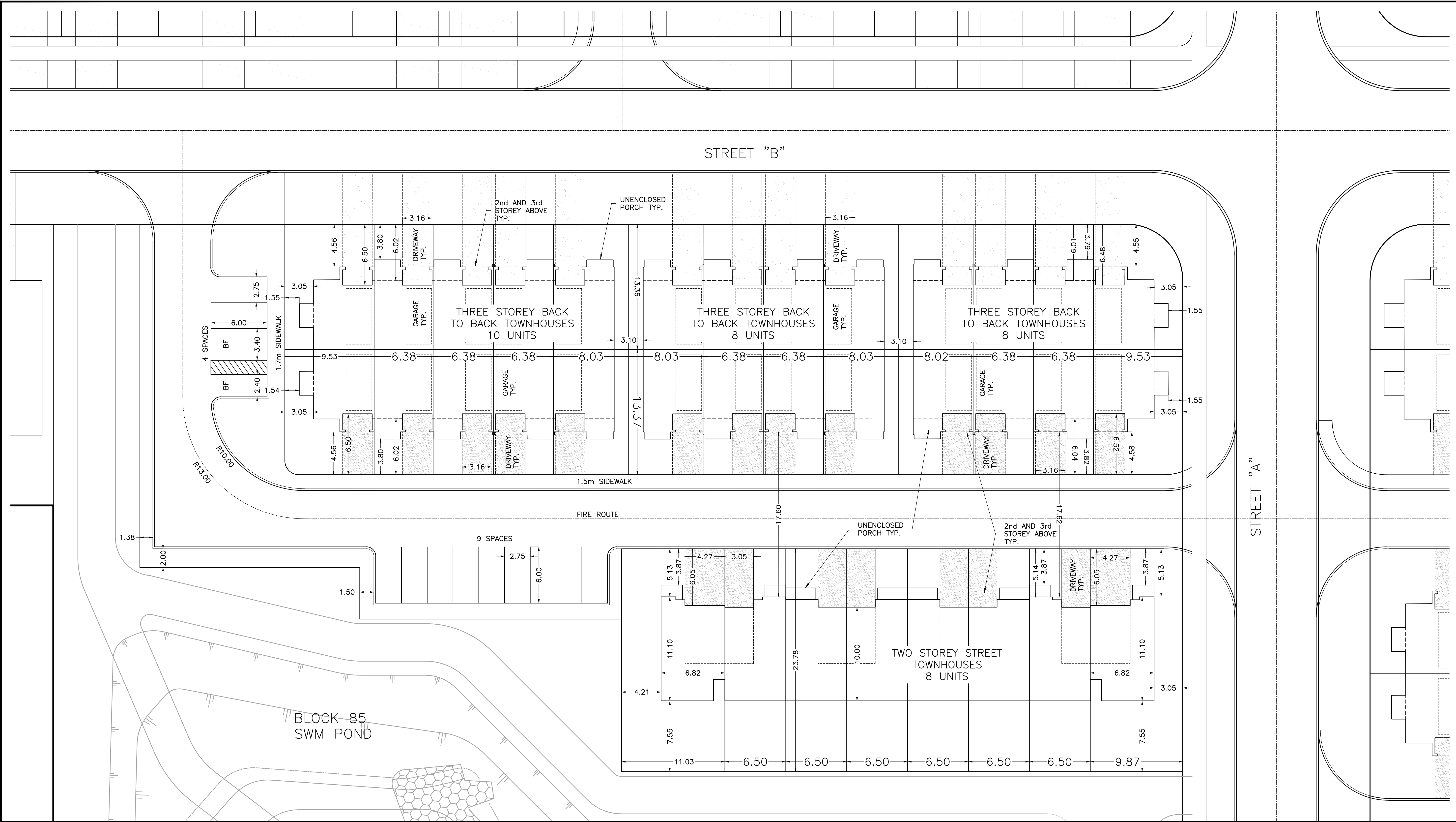
THRIVE - 25 ACRES

PRELIMINARY SITE PLAN
BLOCK 65

FILE NUMBER: 109178 SHEET NUMBER: SP1

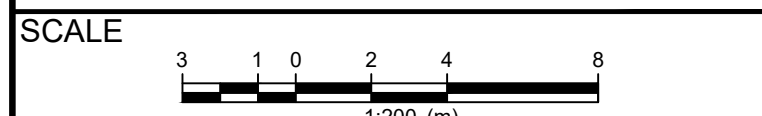
PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 3 ZONE MODIFIED (RM3-...)		MODIFIED
	2-STORY STREET TOWNHOUSE DWELLING		
REGULATION	REQUIRED	PROPOSED	
MIN. LOT AREA (PER DWELLING UNIT)	180 m ²	169 m ²	X
MIN. LOT FRONTAGE	6.0 m/UNIT	6.5 m	
MIN. FRONT YARD	DWELLING	4.5 m	4.55 m
	PRIVATE GARAGE	6.0 m	6.0 m
MIN. EXTERIOR SIDE YARD		3.0 m	3.05 m
MIN. INTERIOR SIDE YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	3.0 m	3.05 m
	ADJOINING A LOT IN ANY OTHER ZONE	1.2 m	N/A
MIN. REAR YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	7.5 m	7.5 m
	ADJOINING A LOT IN ANY OTHER ZONE	6.0 m	N/A
MAX. LOT COVERAGE		50 %	51.6 %
		3.0 m	4.0 m
MIN. SEPARATION BETWEEN DWELLING ON THE SAME LOT	EXTERIOR SIDE WALLS	12.0 m	15.1 m
	EXTERIOR FRONT OR REAR WALLS	7.5 m	9.5 m
	EXTERIOR FRONT OR REAR WALL AND SIDE WALL	12 m	12 m
MAX. HEIGHT		25 %	37.6 %
MIN. LANDSCAPE OPEN SPACE			
ALLOWABLE PROJECTIONS INTO REQUIRED YARDS	UNENCLOSED PORCH	FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A
	BALCONY/DECK	FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A
MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS AND PARKING AISLES			
DRIVEWAY FOR A DWELLING WITH A PRIVATE GARAGE	MIN. WIDTH	3.0 m	3.0 m
	MAX. WIDTH	60% OF LOT WIDTH, TO A MAX. OF 6.0 m	50%
MAXIMUM DRIVEWAY AREA OF A REQUIRED FRONT YARD			51.2%

PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 3 ZONE MODIFIED (RM3-...)		MODIFIED
	BUNGALOW STREET TOWNHOUSE DWELLING		
REGULATION	REQUIRED	PROPOSED	
MIN. LOT AREA (PER DWELLING UNIT)	180 m ²	264 m ²	
MIN. LOT FRONTAGE	6.0 m/UNIT	9.17 m	
MIN. FRONT YARD	DWELLING	4.5 m	6.0 m
	PRIVATE GARAGE	6.0 m	6.0 m
MIN. EXTERIOR SIDE YARD		3.0 m	4.08 m
MIN. INTERIOR SIDE YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	3.0 m	N/A
	ADJOINING A LOT IN ANY OTHER ZONE	1.2 m	1.78 m
MIN. REAR YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	7.5 m	6.95 m
	ADJOINING A LOT IN ANY OTHER ZONE	6.0 m	3.78 m
MAX. LOT COVERAGE		50 %	56 %
		3.0 m	4.4 m
MIN. SEPARATION BETWEEN DWELLING ON THE SAME LOT	EXTERIOR SIDE WALLS	12.0 m	17.37 m
	EXTERIOR FRONT OR REAR WALLS	7.5 m	9.5 m
	EXTERIOR FRONT OR REAR WALL AND SIDE WALL	12 m	12 m
MAX. HEIGHT		25 %	36 %
MIN. LANDSCAPE OPEN SPACE			
ALLOWABLE PROJECTIONS INTO REQUIRED YARDS	UNENCLOSED PORCH	FRONT/SIDE - 1.5 m REAR - 3.0 m	FRONT/SIDE - 0.82 m REAR - N/A
	BALCONY/DECK	FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A
MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS AND PARKING AISLES			
DRIVEWAY FOR A DWELLING WITH A PRIVATE GARAGE	MIN. WIDTH	3.0 m	3.5 m
	MAX. WIDTH	50% OF LOT WIDTH, TO A MAX. OF 6.0 m	38.1%
MAXIMUM DRIVEWAY AREA OF A REQUIRED FRONT YARD			38.1%



NOT FOR CONSTRUCTION

SOURCE:
XXX
BENCHMARK
XXX



DESIGN BY: A.BUONAMICI
DRAWN BY: S.CHALMERS
CHECKED BY: J.MARCUS
DATE: 2020-03-16

NO.	DATE	BY	DESCRIPTION
3	2022-08-09	JM	MINOR VARIANCE SUBMISSION
2	2022-01-21	JM	PRE-CONSULTATION SUBMISSION
1	2021-06-29	JM	SECOND DRAFT PLAN SUBMISSION
0	2020-05-04	SC	FIRST DRAFT PLAN SUBMISSION

DRAWING ISSUE RECORD

APPROVALS

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tel 905 546 1010 fax 905 546 1011
ibigroup.com

TOWNSHIP OF
WEST LINCOLN

THRIVE - 25 ACRES

PRELIMINARY SITE PLAN
BLOCK 86

FILE NUMBER: 109178 SHEET NUMBER: SP1

PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 3 ZONE MODIFIED (RM3-...)		MODIFIED
PERMITTED USES	STREET TOWNHOUSE DWELLING		
REGULATION			
MIN. LOT AREA (PER DWELLING UNIT)	REQUIRED 180 m ²	PROPOSED 154 m ²	X
MIN. LOT FRONTAGE	REQUIRED 6.0 m/UNIT	PROPOSED 6.50 m	
MIN. FRONT YARD	DWELLING 4.5 m	5.13 m	
	PRIVATE GARAGE 6.0 m	6.05 m	
MIN. EXTERIOR SIDE YARD	3.0 m	3.05 m	
MIN. INTERIOR SIDE YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE 3.0 m	N/A	
	ADJOINING A LOT IN ANY OTHER ZONE 1.2 m	4.21 m	
MIN. REAR YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE 7.5 m	N/A	
	ADJOINING A LOT IN ANY OTHER ZONE 6.0 m	7.55 m	
MAX. LOT COVERAGE	50%	46.5 %	
MIN. SEPARATION BETWEEN DWELLING ON THE SAME LOT	EXTERIOR SIDE WALLS 3.0 m	N/A	
	EXTERIOR FRONT OR REAR WALLS 12.0 m	17.60 m	
	EXTERIOR FRONT OR REAR WALL AND SIDE WALL 7.5 m	N/A	
MAX. HEIGHT	12 m	12 m	
MIN. LANDSCAPE OPEN SPACE	25%	41.2%	
ALLOWABLE PROJECTIONS INTO REQUIRED YARDS	UNENCLOSED PORCH FRONT/SIDE - 1.5 m REAR - 3.0 m	FRONT - 0.63 m REAR - N/A	
	BALCONY/DECK FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A	
MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS AND PARKING AISLES			
DRIVEWAY FOR A DWELLING WITH A PRIVATE GARAGE	MIN. WIDTH 3.0 m	3.05 m	
	MAX. WIDTH 50% OF LOT WIDTH, TO A MAX. OF 6.0 m	47%	
MAXIMUM DRIVEWAY AREA OF A REQUIRED FRONT YARD	50%	48%	

PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 4 ZONE		MODIFIED
PERMITTED USES	TOWNHOUSE DWELLING (BACK TO BACK)		
REGULATION			
LOT AREA	REQUIRED N/A	PROPOSED 4103 m ²	
MIN. LOT AREA (PER DWELLING UNIT)	75 m ²	85.2 m ²	
MIN. LOT FRONTAGE	5.5 m/UNIT	6.38 m/UNIT	
MIN. FRONT YARD	DWELLING 4.5 m	4.5 m	
	PRIVATE GARAGE 6.0 m	6.48 m	
MIN. EXTERIOR SIDE YARD	3.0 m	3.05 m	
MIN. INTERIOR SIDE YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE 3.0 m	N/A	
	ADJOINING A LOT IN ANY OTHER ZONE 1.2 m	N/A	
MIN. REAR YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE -	N/A	
	ADJOINING A LOT IN ANY OTHER ZONE -	N/A	
MAX. LOT COVERAGE	N/A	68.6%	
MIN. SEPARATION BETWEEN DWELLING ON THE SAME LOT	EXTERIOR SIDE WALLS 3.0 m	3.1 m	
	EXTERIOR FRONT OR REAR WALLS 12.0 m	17.17 m	
	EXTERIOR FRONT OR REAR WALL AND SIDE WALL 7.5 m	N/A	
MAX. HEIGHT	12 m	12 m	
MIN. LANDSCAPE OPEN SPACE	25%	21.6%	
	±1,025.75 m ²	±887 m ²	
ALLOWABLE PROJECTIONS INTO REQUIRED YARDS	UNENCLOSED PORCH FRONT/SIDE - 1.5 m REAR - 3.0 m	FRONT/SIDE - 1.5 m REAR - N/A	
	BALCONY/DECK FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A	
MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS AND PARKING AISLES			
DRIVEWAY FOR A DWELLING WITH A PRIVATE GARAGE	MIN. WIDTH 3.0 m	3.16 m	
	MAX. WIDTH 50% OF LOT WIDTH, TO A MAX. OF 6.0 m	49.6%	
MAXIMUM DRIVEWAY AREA OF A REQUIRED FRONT YARD	50%	50%	

PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 4 ZONE		MODIFIED
PERMITTED USES	TOWNHOUSE DWELLING (BACK TO BACK)		
REGULATION			
MIN. AMENITY AREA - 9 OR MORE UNITS	40 m ² PLUS 15 m ² /UNIT + 430 m ²	143 m ²	X
INDIVIDUAL BALCONY AREA	5.5 m ² /UNIT	5.5 m ² /UNIT	
MIN. OUTDOOR COMMON AMENITY AREA	60.0 m ²	0 m ²	X

Planning Justification Brief

Thrive - Smithville West, Town of West Lincoln

Proposed Minor Variances

THRIVE

IN SMITHVILLE WEST



Prepared for Marz Homes (Smithville West Inc.)
by IBI Group
June 17, 2022

Document Control Page

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Table of Contents

1	Introduction	1
2	Planning Application	1
3	Site Location and Context	1
4	Proposed Development.....	8
4.1	Minor Variances	9
5	Applicable Planning Policy and Legislation	11
5.1	Ontario Planning Act	11
6	Conclusion and Recommendation	15
	Appendix A – Survey Plan	16
	Appendix B – Preliminary Site Plan	17
	Appendix C – Detail Drawing	18

1 Introduction

IBI Group has been retained by Marz Homes (Smithville West Inc.) to provide a planning opinion on the current application to the Town of West Lincoln Committee of Adjustment pertaining to the lands legally referred to as Lot 9 and Plan M98, as confirmed by Plan 30BA1695 in the Township of West Lincoln, in the Regional Municipality of Niagara (the “subject lands”). More specifically, minor variances are being proposed to facilitate the new development within Block 65 and 86 from the Draft approved Plan of Subdivision. This report provides the required analysis, including a review of local policy, and the final recommendation that the applications should be approved by the Committee.

2 Planning Application

Minor variances are being proposed to facilitate the new development. The minor variance application is being made to the Town of West Lincoln Committee of Adjustment under Subsection 45(1) of the Planning Act, which provides the powers to the Committee to make decisions with respect to minor variances to the Zoning By-law. A detailed discussion of the Powers of the Committee under 45(1) of the Planning Act, as well as how the proposed development falls within those power is provided later in the report under subsection 5.1.

3 Site Location and Context

The subject lands are legally described as Lot 9, and Plan M98 as confirmed by Plan 30BA1695 (Geographic Township of West Lincoln). The lands are bound by West Street (Regional Road 20) to the south, South Grimsby Road 5 to the east, the CP Rail Line to the north and agricultural and institutional uses to the west. The subject lands have a lot frontage of approximately 159 metres along Grimsby Road 5 and 211 metres along West Street, with an area of 103, 517 square metres (10.3 hectares). More specifically, the minor variance application being presented deals with Block 65 and 86.

The subject lands are currently vacant, while the majority of the subject lands have been cleared, the north-western portion is grass-covered and there are a few trees located in the middle and north-western areas as well. A chain-link fence outlines the southern boundary, separating the subject lands from abutting properties at 6615 - 6633 Regional Road 20. The subject lands have a generally flat topography, however there is some minor descending sloping along the ditches, which traverse north to south in the southern and eastern portions of the subject lands.

A series of air photos, maps and street-view photos illustrating this context are presented in **Figures 3-1 to 3-5** below. A Topographical Survey illustrating the existing conditions is provided in **Figure 3-6** below.

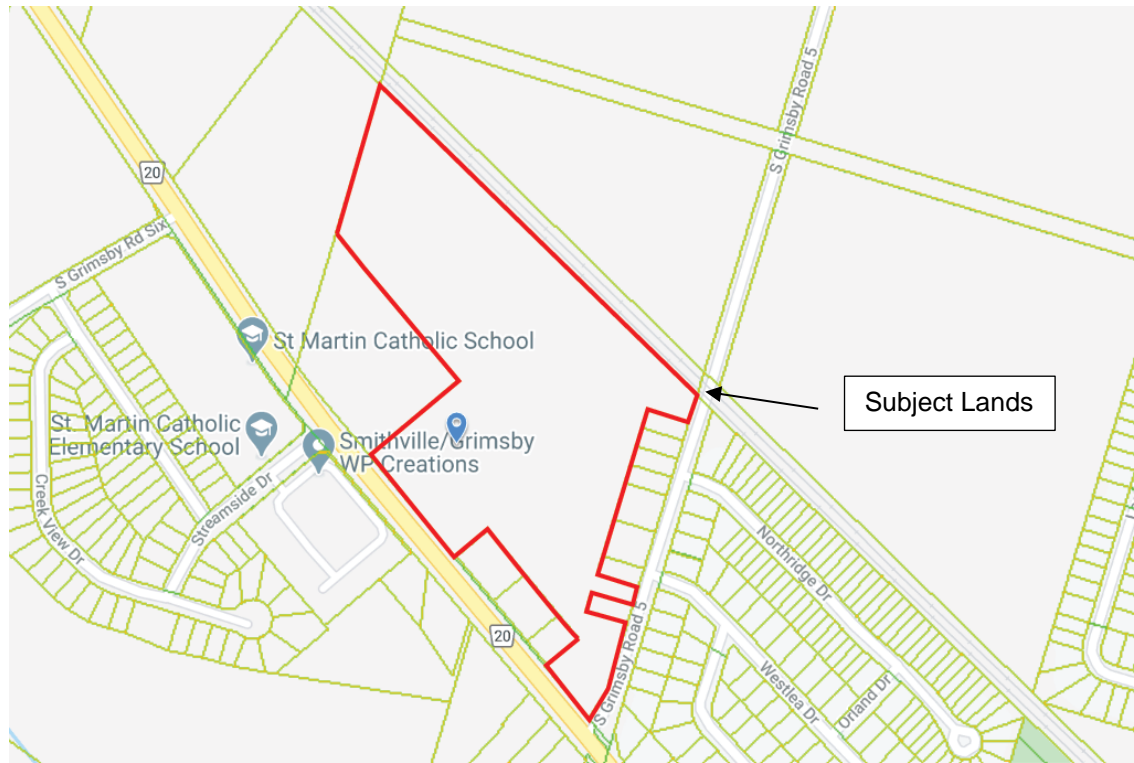


Figure 3-3-1: Parcel Mapping of Subject Lands, Retrieved from Geowarehouse

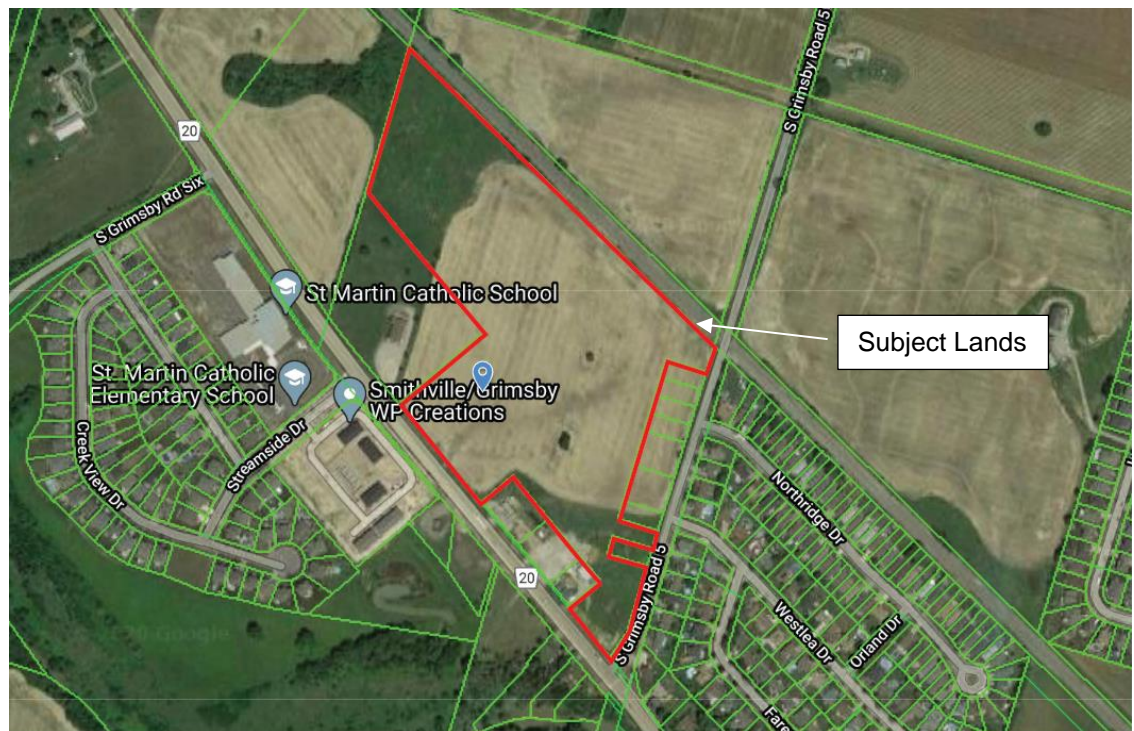


Figure 3-3-2: Aerial Imagery of the Subject Lands, Retrieved from Google Earth



Figure 3-3-3: Zoomed-in Aerial Image of the Subject Lands, Retrieved from Google Earth

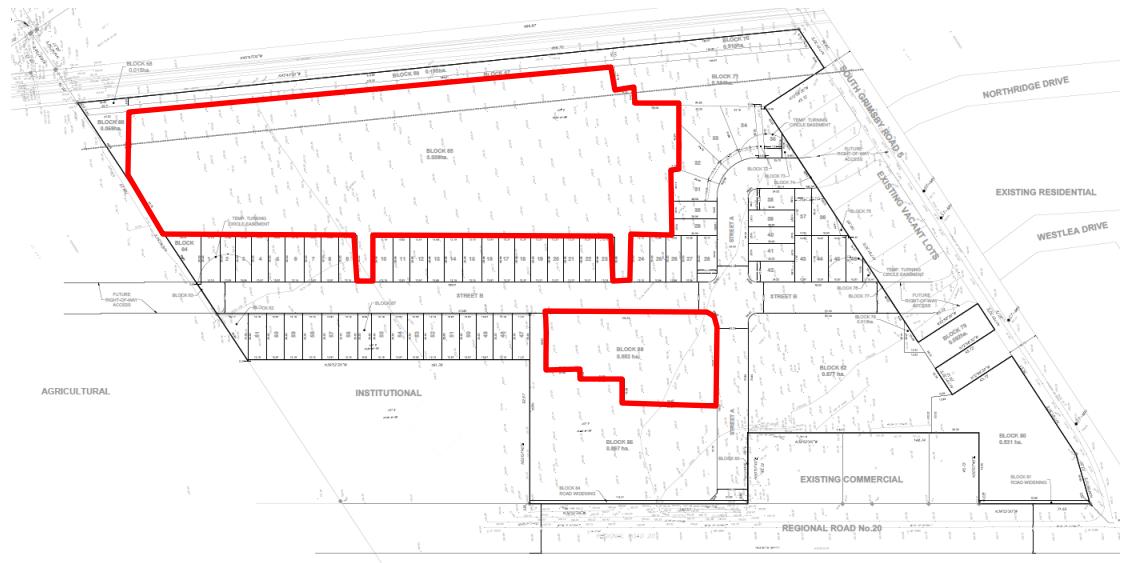


Figure 3-3-4: Block 65 and 86; Minor Variances affecting the Draft approved Plan of Subdivision



Figure 3-5 Subject Lands looking north-east from West Street



In terms of surrounding context, the subject lands are located in the north-western portion of the Smithville Settlement Area, characterized by predominantly residential uses. A list of nearby facilities and uses within a $\pm 500\text{m}$ radius of the site includes (see **Figure 3-7** for a Surrounding Uses map):

- One School:
 - St. Martin Catholic Elementary School
- Community Uses:
 - Greek Community Centre
- Agricultural Uses
- A range of existing residential uses
- A range of home occupations (i.e. recording studio, HVAC contractor, nursing agency, phone repair services, etc.)

On November 25, 2021, the subject site received conditional draft approval to a Plan of Subdivision. The proposed development presents an approximate 224 residential unit count and maintains the visual character and compatibility with existing conditions in close proximity. **Figures 3-8 to 3-10** further show the existing conditions of the subject lands and surrounding context. Minor variances are required for the implementation of the residential units within Block 65 and 86; which will be justified within this report.

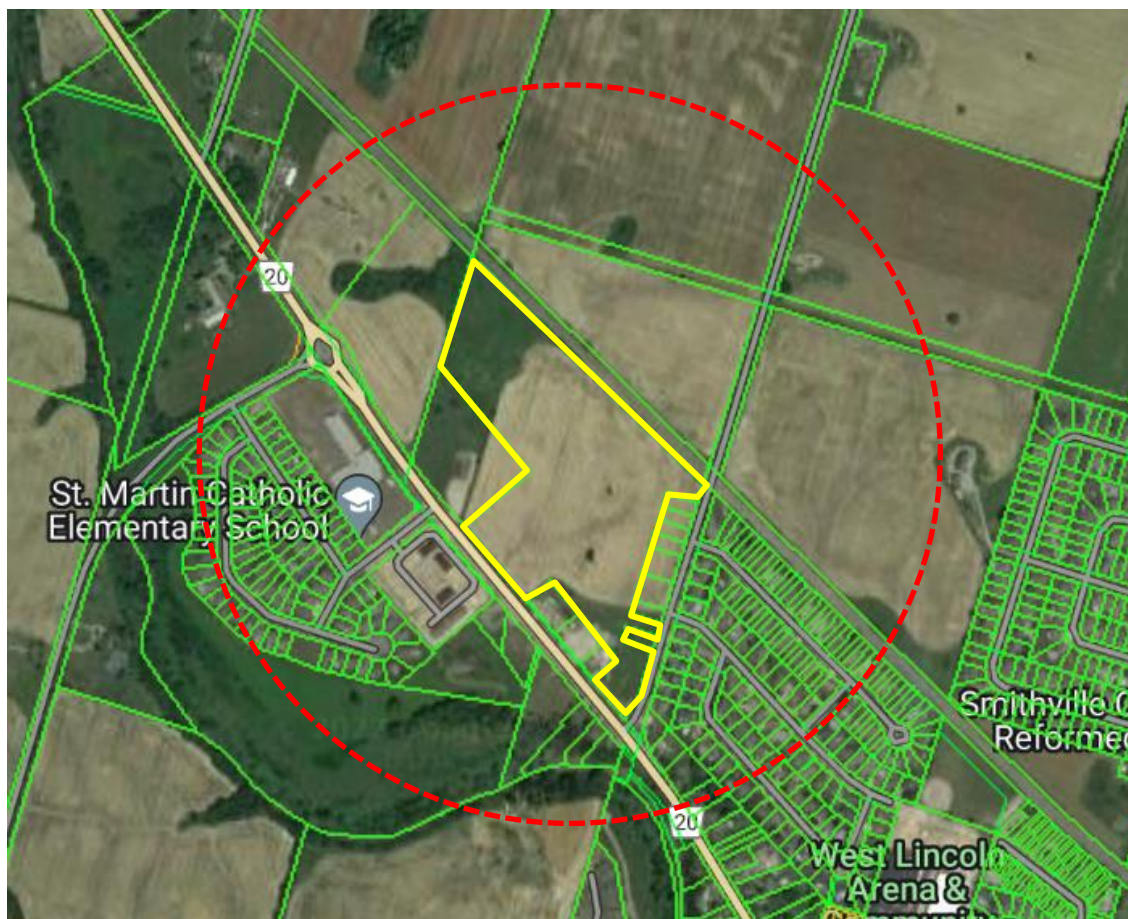


Figure 3-7 Surrounding Uses within 500m of subject lands (Subject Lands in yellow & 500m radius in red)
(Source: GeoWarehouse, 2022)



Figure 3-8: 3-D North View of the Subject Lands and Surrounding Area, Retrieved from Google Earth



Figure 3-9: 3-D East View of the Subject Lands and Surrounding Area, Retrieved from Google Earth



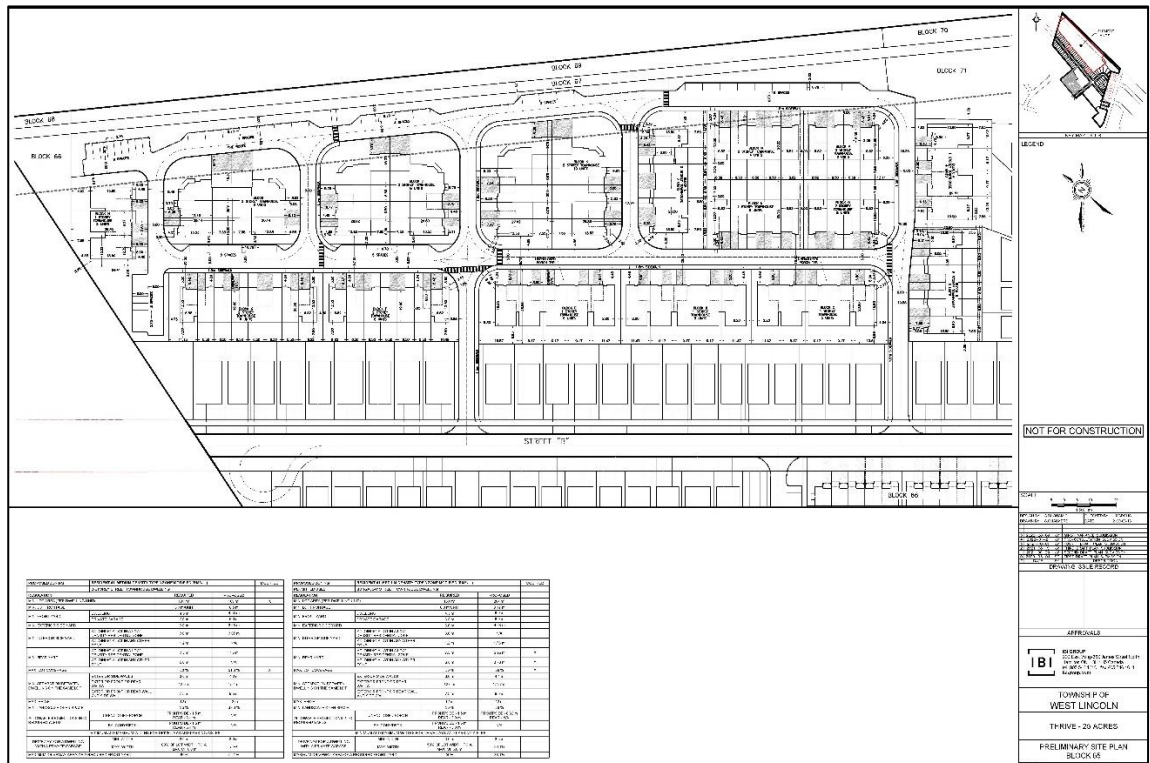
Figure 3-10: 3-D South Orientation of the Subject Lands, Retrieved from Google Earth



Figure 3-11: 3-D West View of the Subject Lands and Surrounding Area, Retrieved from Google Earth

4 Proposed Development

The proposed development; named 'Thrive', consists of a variety of residential units, a storm-water management pond, open space and 224 residential units. A breakdown and justification of the required minor variances have been provided in **Subsection 4.1 and 5.1**, respectfully.



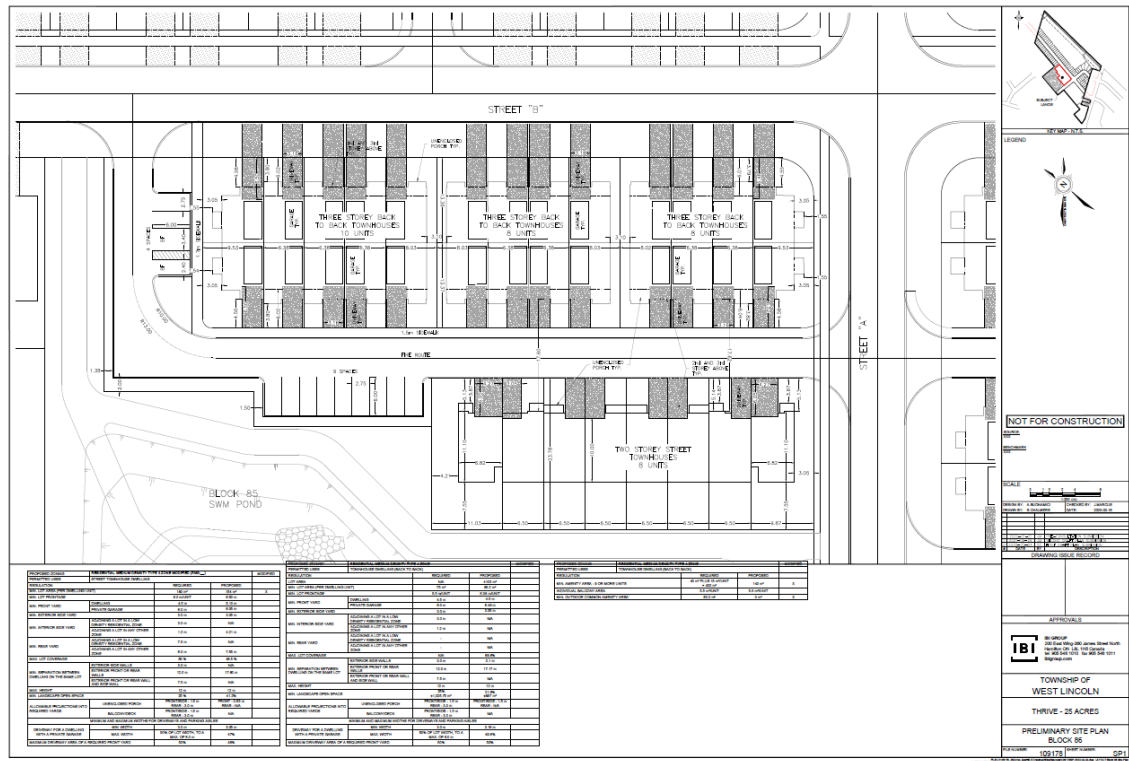


Figure 4-2: Preliminary Site Plan for Block 86, prepared by IBI Group

4.1 Minor Variances

In the context of establishing the proposed development, a variety of minor variances have been identified. These variances are listed below.

Bungalow Corner Unit – Block H (Figure 4-3 – Detail 1)

1 Minimum Rear Yard Setback Requirements

Current zoning permits a minimum rear yard shall be the greater distance of 6.0m; while the current development proposal is requesting to allow for a minimum of 3.7m rear yard setback abutting the westerly lot line for a 1 or 1.5-storey dwelling.

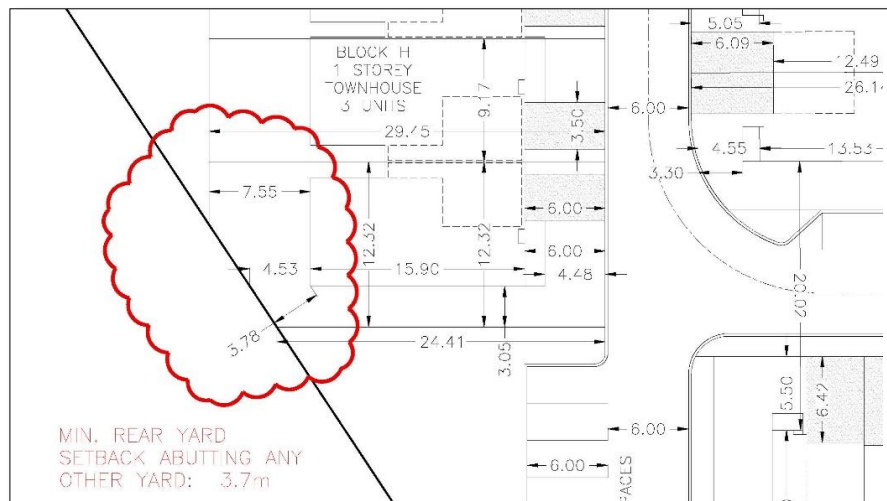


Figure 4-3: Detail 1, Variance 1 – Minimum Rear Yard Setback, IBI Group Site Plan Excerpt

All Bungalow Units – Blocks C, D & E (Figure 4-4 – Detail 2)

2 Minimum Rear Yard Setback Requirements

Current zoning permits a minimum rear yard shall be the greater distance of 7.5m; while the current development proposal is requesting to allow for a minimum of 6.9m rear yard setback abutting a Low-Density Zone for a 1 or 1.5-storey dwelling.

Bungalow Interior Units – Blocks A, C, D, E & H (Figure 4-4 – Detail 2)

3 Maximum Lot Coverage Requirements

Current zoning permits a maximum lot coverage of 50%; while the current development proposal is requesting to allow for a maximum of 57% lot coverage for a 1 or 1.5-storey dwelling.

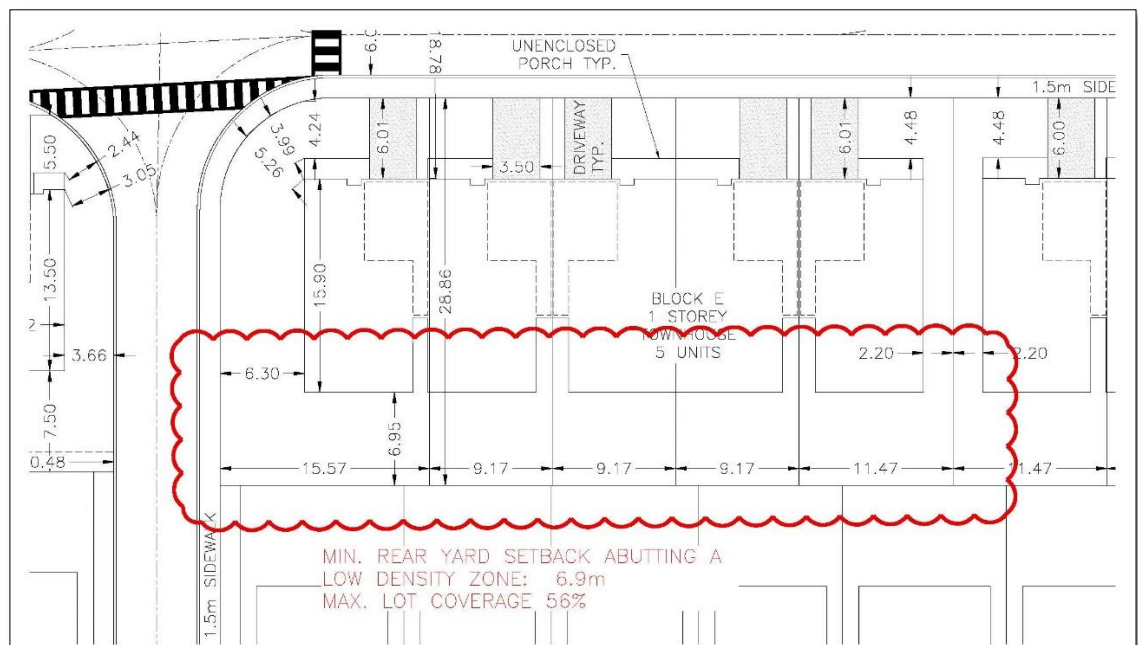


Figure 4-4: Detail 2, Variance 2 & 3 – Minimum Rear yard Setback and Lot Coverage, IBI Group Site Plan Excerpt

All 2-Storey Interior Units – Blocks B, F, G, I, J, K, L, M, N, O & P, Block 86 (Figure 4-5 – Detail 3)

4 Minimum Lot Area Requirements

Current zoning permits a minimum lot area of 180m²; while the current development proposal is requesting to allow for a minimum of 165m² lot area for a 2-storey townhouse dwelling.

5 Maximum Lot Coverage Requirements

Current zoning permits a maximum lot coverage of 50%; while the current development proposal is requesting to allow for a maximum of 53% lot coverage for a 2-storey townhouse dwelling.

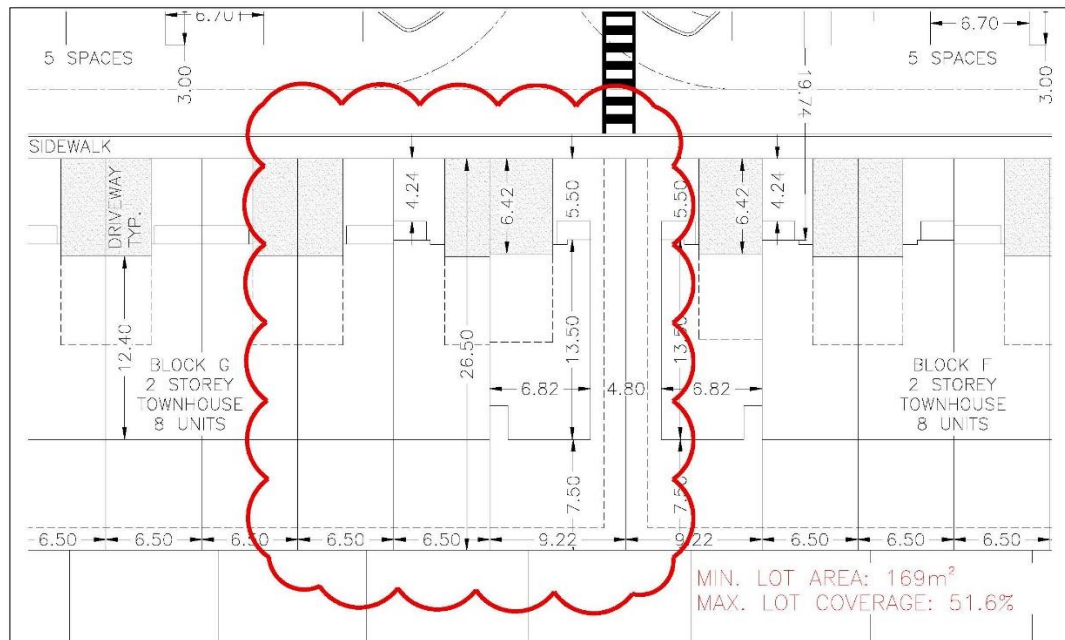


Figure 4-5: Detail 3, Variance 4 & 5 - Minimum Lot Area and Lot Coverage, IBI Group Site Plan Excerpt

The Planning Act requires that minor variance applications meet the four tests within Section 45, to ensure good planning to support requested variances. In our opinion this proposal does maintain the general intent and purpose of the Official Plan and Zoning By-law, it is desirable for the appropriate development and land use and that proposal is minor in nature. A more in-depth explanation, based on applicable legislation, policy and contextual information, is provided below to support our opinion.

5 Applicable Planning Policy and Legislation

The property is subject to several provincial and local policy and legislative documents with respect to land use planning. These will be dealt with in subsections below.

5.1 Ontario Planning Act

The Powers of the Committee of Adjustment with respect to minor variances are provided by subsection 45 (1) of the Planning Act, which states the following:

- (1) Powers of committee – The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.

The above excerpt permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided they meet what is known as the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?

3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

5.1.1 Are the variances minor in nature?

The determination of minor is not a matter of quantum of the variance(s), but rather a consideration of the overall impact of the proposed variances. The proposed development is compatible with the uses currently permitted under the Zoning By-law, particularly the provisions which allow 2-storey street townhouse dwellings and bungalow street townhouse dwellings. In that comparison, the proposed building and yard requirements have been met or are closer to the requirements. In effect, the proposal seeks to implement an end result more in keeping with these provisions. We argue, therefore, that the proposed development is equally compatible with the medium density residential uses permitted. The various pictures provided in this report provide visual evidence of the character of the area and the dwelling types. It is our opinion that the proposed development for the use of the 2-storey street townhouse dwellings and bungalow street townhouse dwellings are completely compatible with surrounding properties and that there will be no adverse impacts to the neighbourhood.

1. Variance #1 & 2: Minimum Rear Yard Setback

As shown in Figure 4-4: Detail 1, a minimum rear yard setback of 3.7m is being requested, whereas Figure 4-5: Detail 2, exhibits the requested minimum rear yard setback of 6.9m. A rear yard setback is typically required to ensure appropriate amenity space, building setbacks and proper interface with adjacent development. Variance 1 contemplates using the westerly lot line as an extension of the rear lot line as it will effectively be part of the rear amenity space of associated unit. The unit as a whole does achieve the 7.5m on other parts of the lot and still provides ample amenity area for a backyard. Variance 2 requires a 0.6m deviation from the by-law; resulting in a minor request.

The requested variances will not have negative impact on the functionality and compatibility of the subject lands and the surrounding properties; due to the fact that this development is setting the precedent for the area. As such, it is our opinion that the requested minor variances for minimum rear yard setbacks are minor in nature as the variances do not impact the overall character of the area.

2. Variance #3 & 5: Maximum Lot Coverage

As shown in Figure 4-5: Detail 2; an increase in maximum lot coverage by 7% is required and Figure 4-6: Detail 3 requires an increase in maximum lot coverage by 3%. The required increased lot coverage for both variances exemplify a minor deviation from the provisions that will allow for a building envelope that is compatible with the surrounding neighbourhood. The increase in coverage will not adversely impact the overall character of the area and therefore the variance is minor in nature.

3. Variance # 4: Minimum Lot Area

As shown in Figure 4-6: Detail 3; a variance for a minimum lot area of 165m²; instead of the required 180m² is being requested. Although this request reduces the minimum lot area by 15m², from a visual aspect it is only a minor deviation from the provisions and therefore; minor in nature.

5.1.2 Are the variances desirable and appropriate?

The proposed residential development is compatible with the surrounding context and appropriately “fills in” an underutilized parcel of land ultimately creating an attractive, desirable

residential neighbourhood. The proposed variances below will list the desirability and appropriateness:

1. *Variance #1 & 2: Minimum Rear Yard Setback*

Even with the requested reduction in rear yard setback for the proposed Variance 1 & 2; all associated lots are able to achieve ample amenity space and privacy. The variance of reducing the rear yard setback has no negative impact on the surrounding development and is in keeping with the surrounding residential development patterns. It appropriately develops an underutilized parcel of land by creating an attractive, desirable residential neighbourhood; therefore, the proposed variances are desirable and appropriate.

2. *Variance #3 & 5: Maximum Lot Coverage*

The requested variances provide complimentary new development while not impacting the existing surrounding development. As such, the proposed variance is desirable and appropriate because it is compatible with the surrounding area.

3. *Variance #4: Minimum Lot Area*

The request variance provides complimentary new development while not impacting the existing surrounding development. As such, the proposed variance is desirable and appropriate because it is compatible with the surrounding area.

Overall, the proposed development is desirable as it is ideal for the location, will fit in with the surrounding built form, provide housing options, and stimulate economic activity.

5.1.3 Do the variances maintain the general intent and purpose of the Official Plan?

With respect to the General Residential Policies of the West Lincoln Official Plan (Policy 6.1); the requested variances will protect and enhance the existing character of Smithville, promote higher density residential development, include a range of dwelling types and improve the overall quality of life. The proposed variances still achieve the set-out objectives while remaining to be compatible with existing and future development.

In regard to the Medium Density Residential Area (Smithville) Policies (Policy 6.3); the proposed variances are fully compatible and in keeping with the character of the neighbourhood. They are consistent with the expected evolution of Residential Neighbourhoods in general; as the increase in density is a minor change to the existing context and will not negatively impact the relationship of the site with its surroundings. The built form and height meet the criteria set out within the West Lincoln Official Plan and presents a minor amount of intensification will maintain context-sensitive density that will establish an appropriate land use and development pattern for this area.

The Official Plan analysis concludes that all proposed variances are in conformity with the Town of West Lincoln Official Plan. The proposed development; and associated variances, are also supported from a technical perspective as it conforms to the general policies of the medium density residential designation. Therefore, the variances maintain the general intent and purpose of the Official Plan.

5.1.4 Do the variances maintain the general intent and purpose of the Zoning By-law?

The requested modifications were proposed with the original Zoning application 1601-10-20; however, at the time of the application staff were concerned with the number and intensity of the requested modifications. The owner has reduced the number and scope of the modifications; which is being presented through this Minor Variance application. The minimum and maximum requirements in the By-law do not contemplate bungalow townhouse built form and layout and the requested 2-storey townhouse variances are based on a known unit size, rather than a dwelling built to fit a prescribed lot and building envelope size. The approved Zoning Schedule for the subject lands can be found in Figure 5-1 for reference.

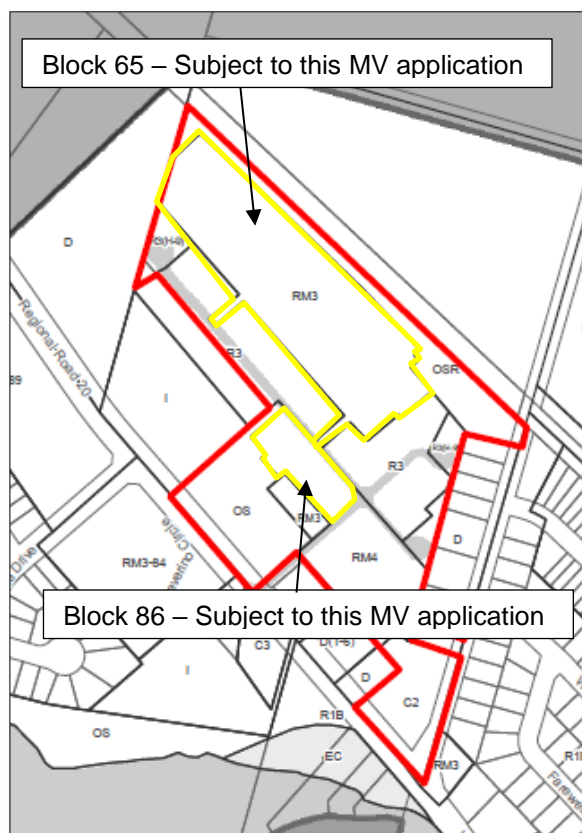


Figure 5-1: Approved Zoning Schedule for Subject Lands

Below, all requested variances demonstrate that the general intent and purpose of the Zoning By-law are being achieved.

1. *Variance #1 & 2: Minimum Rear Yard Setback*

The purpose of a minimum rear yard setback is to ensure that the specific lot has enough amenity area and separation from adjacent land uses. The requested variances will maintain adequate space in the rear yard; therefore, maintain the general intent and purpose of the Zoning By-law.

2. *Variance #3 & 5: Maximum Lot Coverage*

The purpose of maximum lot coverage provisions is to ensure that there is adequate space on the lands without over development and that structures fit within the character of the area. It is our opinion that there is adequate space on the subject lands, for landscaping and amenity space; therefore, the variance to increase the lot coverage from 50% to 57% (as shown on Figure 4-5) and from 50% to 53% (as shown on Figure 4-6) will not impact the overall character of the area.

3. *Variance #4: Minimum Lot Area*

Detail 3 of the development plan requires a variance for a minimum lot area of 165m²; instead of the required 180m². The purpose of a minimum lot area is to ensure that an appropriate dwelling can be constructed within the lot.

The functionality of the proposed development will not be negatively impacted by the requested variances; overall, the proposed development meets the intent and purpose of the Zoning By-law.

6 Conclusion and Recommendation

The proposed development conforms to, is consistent with, and/or maintains the intent and purpose of the applicable planning policy and legislative documents and is compatible with the existing neighbourhood. Under subsection 45(1) the Committee of Adjustment has the powers to make decisions with respect to minor variances to the Zoning By-law. In doing so, the Committee must find the proposed development represents good planning principles and does not introduce any adverse impacts, through the application of the four tests. It is our opinion that the proposed development conforms to all of these requirements and the applications should be approved.

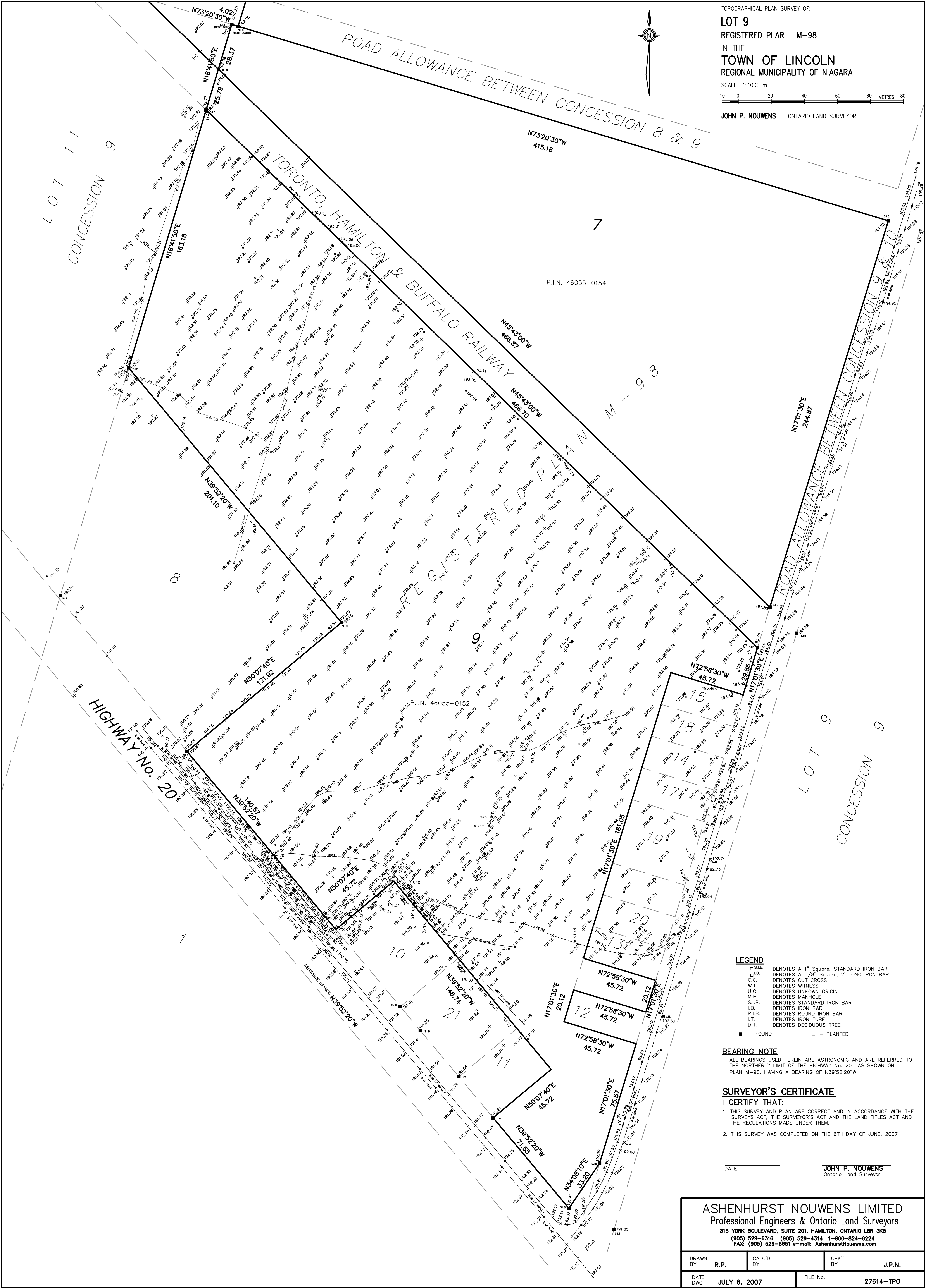


Jared Marcus
Associate - Manager, Planning



Brianne McIntosh
Project Coordinator

Appendix A – Survey Plan

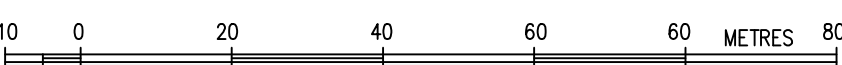


TOPOGRAPHICAL PLAN SURVEY OF:

LOT 9
REGISTERED PLAR M-98

IN THE
TOWN OF LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:1000 m.



JOHN P. NOUWENS ONTARIO LAND SURVEYOR

LEGEND

- S.I.B. DENOTES A 1" Square, STANDARD IRON BAR
- C.C. DENOTES A 5/8" Square, 2' LONG IRON BAR
- C.C. DENOTES CUT CROSS
- WT. DENOTES WITNESS
- U.O. DENOTES UNKNOWN ORIGIN
- M.H. DENOTES MANHOLE
- S.I.B. DENOTES STANDARD IRON BAR
- I.B. DENOTES IRON BAR
- R.I.B. DENOTES ROUND IRON BAR
- I.T. DENOTES IRON TUBE
- D.T. DENOTES DECIDUOUS TREE
- - FOUND □ - PLANTED

BEARING NOTE

ALL BEARINGS USED HEREIN ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF THE HIGHWAY No. 20 AS SHOWN ON PLAN M-98, HAVING A BEARING OF N39°52'20"W

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYOR'S ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 6TH DAY OF JUNE, 2007

DATE

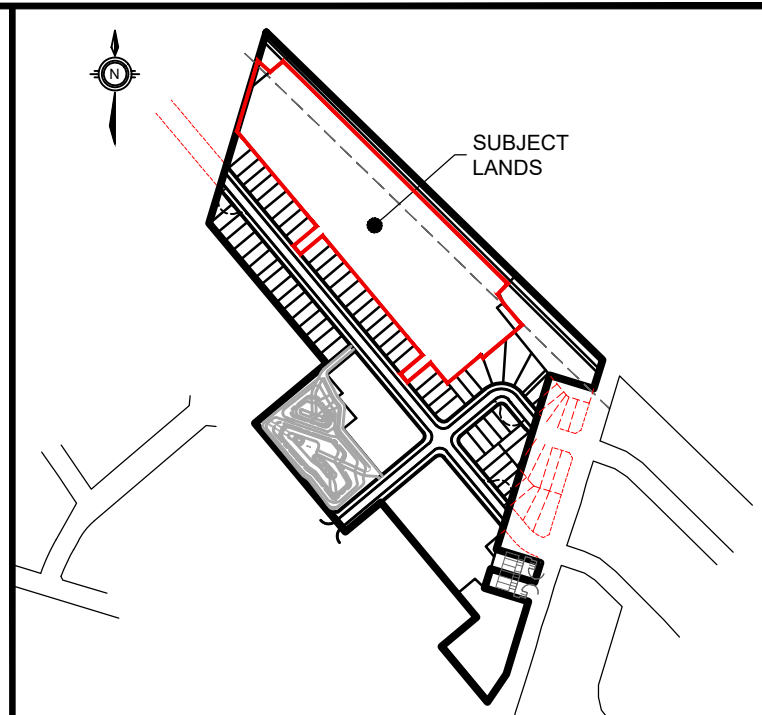
JOHN P. NOUWENS
Ontario Land Surveyor

ASHENHURST NOUWENS LIMITED
Professional Engineers & Ontario Land Surveyors

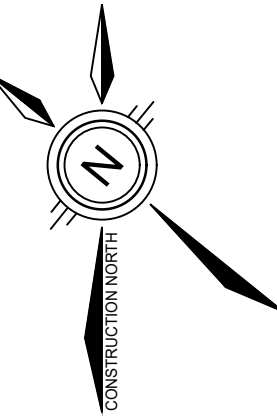
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(905) 529-6316 (905) 529-4314 1-800-824-8224
FAX: (905) 529-8851 e-mail: AshenhurstNouwens.com

DRAWN BY	R.P.	CALC'D BY	CHK'D BY	J.P.N.
DATE DWG	JULY 6, 2007	FILE No.	27614-TPO	


Appendix B – Preliminary Site Plan



KEY MAP - N.T.S.



SCALE



1:500 (mm)

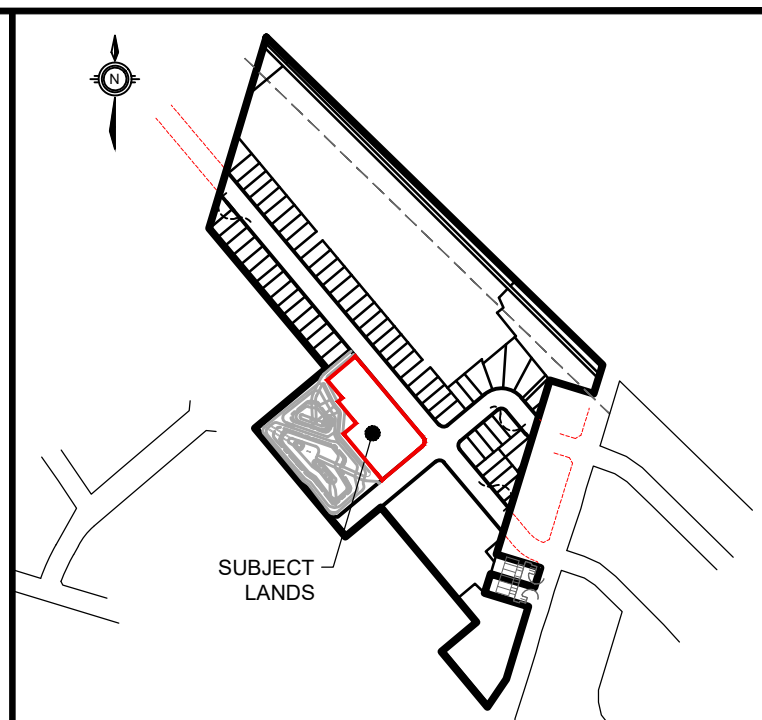
#	DATE	BY	DESCRIPTION
DRAWING ISSUE RECORD			

IBI GROUP
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Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

THRIVE - 25 ACRES

FILE NUMBER:	109178	SHEET NUMBER:	SP1
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PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 3 ZONE MODIFIED (RM3_-_)			MODIFIED
PERMITTED USES	BUNGALOW STREET TOWNHOUSE DWELLING			
REGULATION		REQUIRED	PROPOSED	
MIN. LOT AREA (PER DWELLING UNIT)		180 m ²	264 m ²	
MIN. LOT FRONTAGE		6.0 mUNIT	9.17 m	
MIN. FRONT YARD	DWELLING	4.5 m	6.0 m	
	PRIVATE GARAGE	6.0 m	6.0 m	
MIN. EXTERIOR SIDE YARD		3.0 m	4.08 m	
MIN. INTERIOR SIDE YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	3.0 m	N/A	
	ADJOINING A LOT IN ANY OTHER ZONE	1.2 m	1.78 m	
MIN. REAR YARD	ADJOINING A LOT IN A LOW DENSITY RESIDENTIAL ZONE	7.5 m	6.95 m	X
	ADJOINING A LOT IN ANY OTHER ZONE	6.0 m	3.78 m	X
MAX. LOT COVERAGE		50%	56%	X
		3.0 m	4.4 m	
MIN. SEPARATION BETWEEN DWELLING ON THE SAME LOT	EXTERIOR SIDE WALLS	12.0 m	17.37 m	
	EXTERIOR FRONT OR REAR WALLS			
	EXTERIOR FRONT OR REAR WALL AND SIDE WALL	7.5 m	9.5 m	
MAX. HEIGHT		12 m	12 m	
MIN. LANDSCAPE OPEN SPACE		25%	36%	
ALLOWABLE PROJECTIONS INTO REQUIRED YARDS	UNENCLOSED PORCH	FRONT/SIDE - 1.5 m REAR - 3.0 m	FRONT/SIDE - 0.82 m REAR - N/A	
	BALCONY/DECK	FRONT/SIDE - 1.5 m REAR - 3.0 m	N/A	
MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS AND PARKING AISLES				
DRIVEWAY FOR A DWELLING WITH A PRIVATE GARAGE	MIN. WIDTH	3.0 m	3.5 m	
	MAX. WIDTH	50% OF LOT WIDTH, TO A MAX. OF 6.0 m	38.1%	
MAXIMUM DRIVEWAY AREA OF A REQUIRED FRONT YARD		50%	38.1%	



FILE:J:\109178_25Acres_Mar215.9 Drawings\50pln\layouts\109178SP.dwg LAY
Tuesday, August 6, 2023 10:23:32 AM PLOTTED BY: Isaac Morgan, Tuesday, Aug

PROPOSED ZONING	RESIDENTIAL MEDIUM DENSITY TYPE 4 ZONE			MODIFIED
PERMITTED USES	TOWNHOUSE DWELLING (BACK TO BACK)			
REGULATION		REQUIRED	PROPOSED	
MIN. AMENITY AREA - 9 OR MORE UNITS		40 m ² PLUS 15 m ² /UNIT = 430 m ²	143 m ²	X
INDIVIDUAL BALCONY AREA		5.5 m ² /UNIT	5.5 m ² /UNIT	
MIN. OUTDOOR COMMON AMENITY AREA ¹		60.0 m ²	0 m ²	X

Appendix C – Detail Drawings

BLOCK 1 STORE TOWNHOUSE 3 UNIT

7.55

4.53

3.78

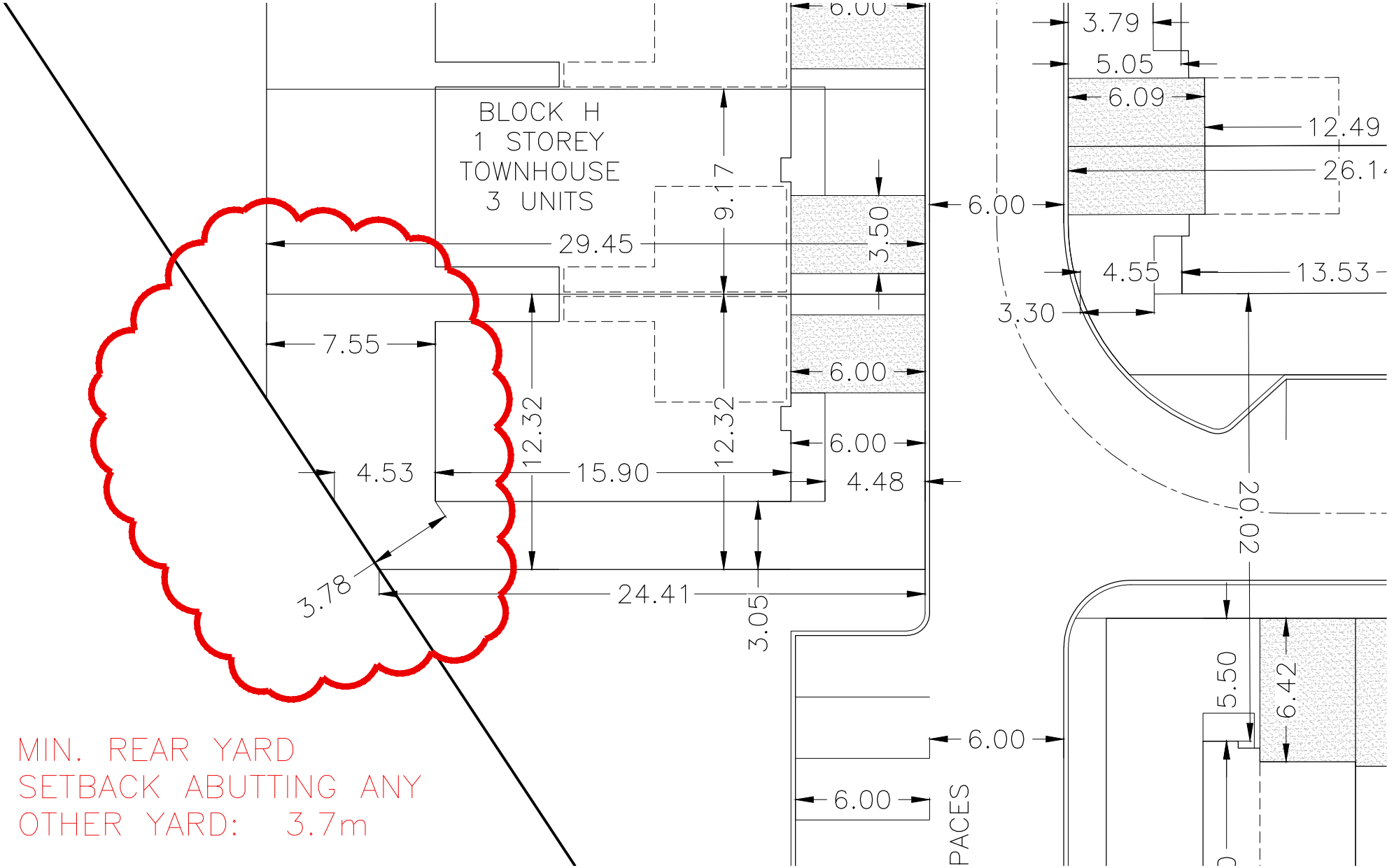
12.32

MIN. REAR YARD SETBACK ABUTTING ANY OTHER YARD: 3.7m

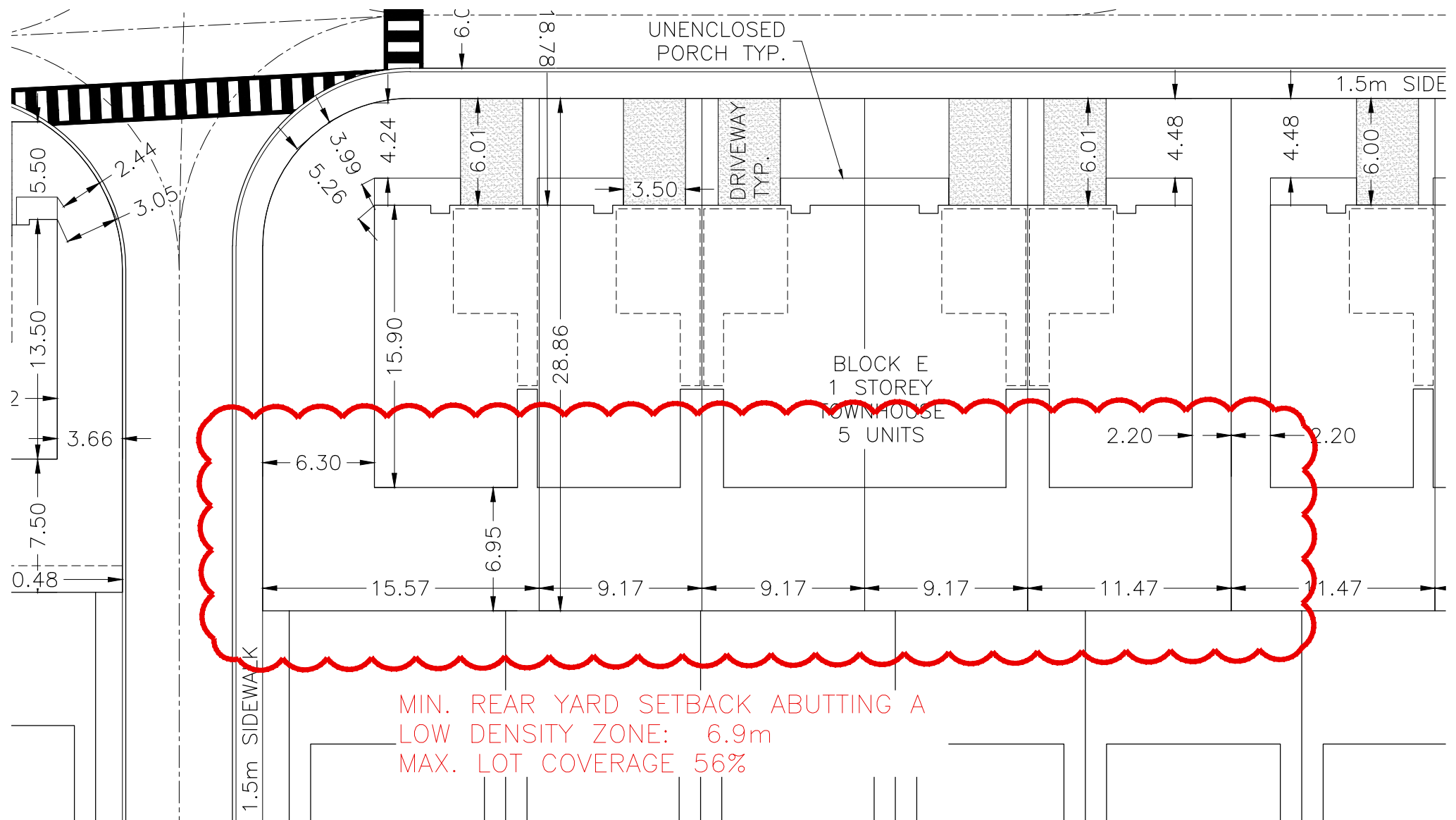
Diagram illustrating a lot with a red cloud-shaped boundary. The lot is divided into two sections by a diagonal line. The upper section is labeled "BLOCK 1 STOREY TOWNHOUSE 3 UNIT" and "2". The lower section is labeled "3.78". The dimensions shown are:

- 7.55 (horizontal distance from the diagonal line to the right boundary)
- 4.53 (horizontal distance from the diagonal line to the right boundary)
- 12.32 (vertical distance from the diagonal line to the bottom boundary)
- 3.78 (diagonal distance from the diagonal line to the bottom boundary)

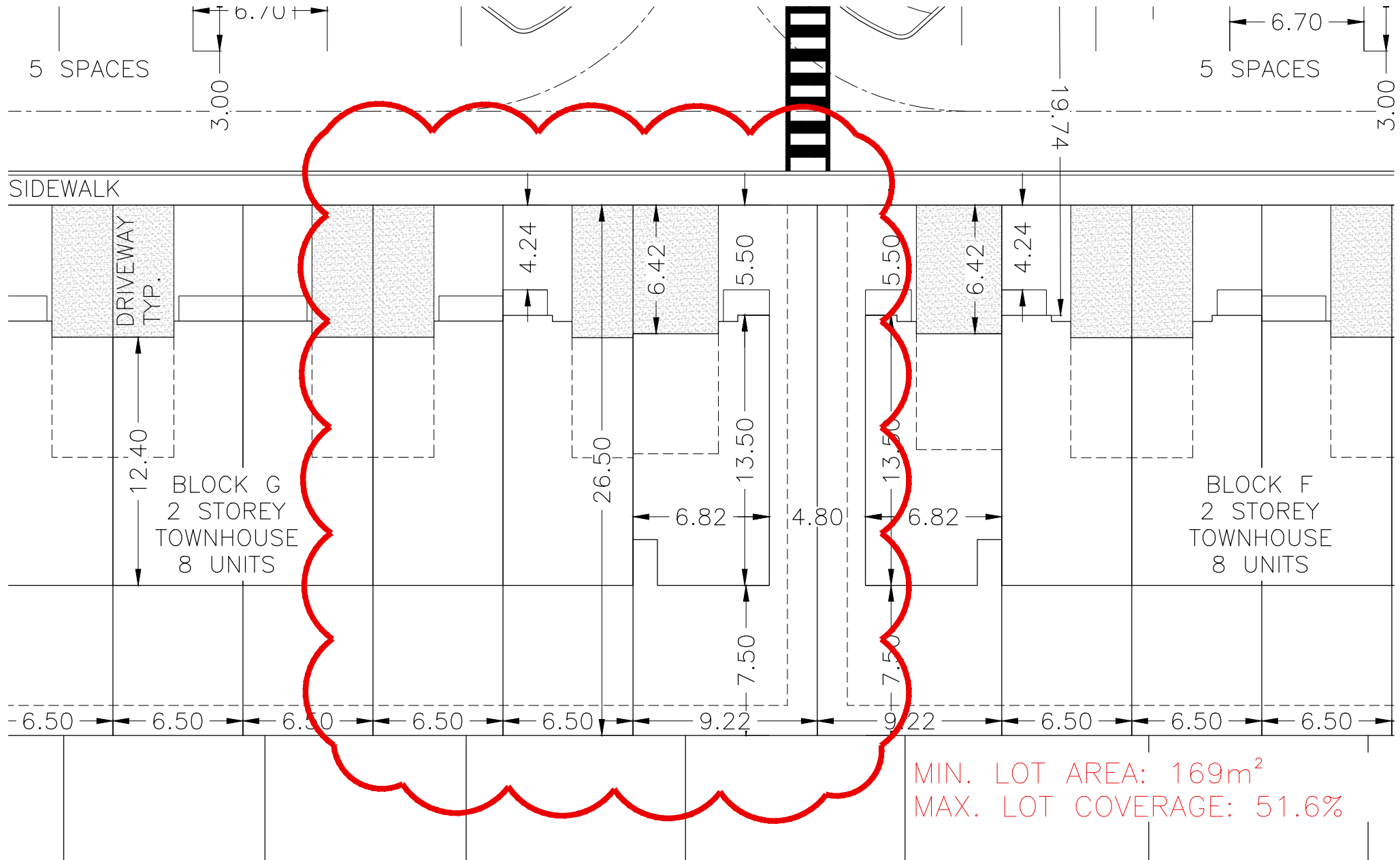
MIN. REAR YARD
SETBACK ABUTTING ANY
OTHER YARD: 3.7m



DETAIL 2



DETAIL 3





250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

Monday October 17, 2022

Our File No.: PLMV202201247

BY E-MAIL ONLY

Committee of Adjustment
Township of West Lincoln
318 Canborough Street.
Smithville, ON. L0R 2A0

Attention: Stephanie Pouliot, Secretary-Treasurer

Subject: Application for Minor Variance (A25/2022WL)

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the minor variance application for Blocks 65 & 86, Thrive Subdivision – Lot 9, Plan M98, File Number (**A25/2022WL**). NPCA staff do not offer objection to the approval of this application.

Please note that the NPCA has previously provided Conditions of Draft Plan Approval in a letter addressed to Gerrit Boerema, dated September 27th, 2021. Please ensure that the conditions in this letter have been addressed prior to the commencements of works on site.

However, NPCA staff offer no objection to the proposed Minor Variance Application **A25/2022WL**.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Sincerely,

A handwritten signature in black ink that reads "Mani Drummond".

Mani Drummond,
Watershed Planner
(905) 788-3135, ext. 235

Memo

To: Stephanie Pouliot, Planner I
From: Jennifer Bernard, Coordinator of Engineering Services
Date: October 20, 2022
Re: File A25/2022WL – Marz Homes (Smithville West) Inc.

A review has been completed of this minor variance application for Block 65 & 86, Thrive Subdivision – Lot 9, Plan M98.

Specific to the variance request for a reduced rear yard setback of 3.7m (abutting the westerly lot line) for a 1 or 1.5 storey townhouse dwelling, from the required 6m for adjoining a lot in any other zone, Public Works would just like to note that a block plan for the lands abutting the rear yard of the townhouse have not been submitted at this time and therefore cannot comment on any potential impacts the reduced rear yard setback may have on this property.