



MUNICIPALITY OF THAMES CENTRE

REPORT NO. PDS-053-24

FILE NO. A10-24

TO: Members of Committee of Adjustment

FROM: A. Kertesz, Planner

MEETING DATE: October 21, 2024

SUBJECT: **Application for Minor Variance (A10-24); Sherry Lynn Pye and Lawrence Pye (Applicants); Michael Pye (Agent); 2770 Rath Street**

RECOMMENDATION:

THAT Application for Minor Variance A10-24 filed by Michael Pye on behalf of Sherry Lynn Pye and Lawrence Pye to permit a reduced minimum lot frontage of 20.1 metres for lands legally described as Part of Lot 4, Concession B, SRT (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 2770 Rath Street be **APPROVED**.

REASONS

- The general intent and purpose of the Official Plan would be maintained;
- The general intent and purpose of the Zoning By-law would be maintained;
- The effects of the variance are considered minor in nature; and
- The variance is desirable for the appropriate use and development of the land.

PURPOSE:

The purpose and effect of Minor Variance Application A10-24 is to seek relief from the Thames Centre Comprehensive Zoning By-law as it relates to minimum frontage requirements for the Hamlet Residential (HR) Zone.

BACKGROUND:

The subject property is 3.8 hectare (9.5 ac) parcel situated on the south wide of Hamilton Road (County Road 29), on the west side of Putnam Road (County Road 30) and at the south end of Rath Street in the hamlet of Putnam. The lands contain a single detached dwelling serviced by a private well and septic system and the lands also contain a garden shed. Access to the subject lands is available off Rath Street.

The lands are subject to Consent Applications B2-24, B3-24, B4-24 and B5-24 which was conditionally approved by Thames Centre Council on May 27th, 2024. The applications

sought to create four (4) lots for residential purposes. As a condition of consent, the applicants were required to obtain a minor variance to address the deficiency in frontage for the retained lands considering the existing frontage is approximately 20.1 metres (64.94 ft) whereas the Hamlet Residential (HR) Zone requires a minimum frontage of 30 metres (98.4 ft). Therefore, this minor variance request is being sought.

The lands are designated 'Hamlet' according to the Thames Centre Official Plan are zoned a Hamlet Residential (HR) Zone and Environmental Protection (EP) Zone according to the Thames Centre Comprehensive Zoning By-law. Surrounding land uses include residential uses to the north, south, industrial uses to the east on the opposite side of Putnam Road (County Road 30) and agricultural uses to the west.

ANALYSIS:

Section 45 of the Planning Act allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests as follows:

- ***Is the variance considered minor in nature? YES***

Unacceptable adverse impacts on neighbouring lands are not anticipated given that the requested minimum lot frontage would remain sufficient for access to the subject lands and sufficient for the use of the lands. It is important to note there would be no change to the existing frontage. The effects of this variance could be considered minor in nature.

- ***Is the variance appropriate use of the land? YES***

The reduced frontage would not change the ability to use the lands for hamlet residential purposes as the retained lands would continue to contain the single detached dwelling and garden shed. This variance represents an appropriate use of the land.

- ***Does the variance maintain the intent of the Official Plan? YES***

The Hamlet designation under the Official Plan is intended to facilitate a variety of land uses, including low density residential uses. The intent would be maintained considering the lot will be continue to be used for residential purposes.

- ***Does the variance maintain the intent of the Zoning By-law? YES***

The intent of the minimum frontage requirement in the Hamlet Residential (HR) Zone is to ensure that lots have a sufficient frontage or lot width to accommodate the use of the subject lands. Given that the lot currently contains a single detached dwelling and garden shed on private septic system and well and is capable of continuing to accommodate the current use of the lands, the intent of the Zoning By-law would be maintained.

Based on the foregoing, the subject application is consistent with the Provincial Policy Statement and in conformity with the County of Middlesex and Thames Centre Official Plans.

CONSULTATION:

In the circulation of the notice of public hearing to prescribed agencies, the following comments were received:

County Engineer:

The owner will be required to provide land dedication measured to 18 m from the centreline of construction of County Road 29 (Hamilton Road) and 15 m from the centreline of construction of County Road 30 (Putnam Road) to the County of Middlesex for the purposes of road widening if those right of ways are not already to that width.

Director of Public Works: No comments or concerns.

Drainage Superintendent: No comment.

Upper Thames River Conservation Authority: No objections.

Chief Building Official: No comments.

In the circulation of the notice of public hearing to surrounding property owners, no responses have been received from the public as of the date of this report.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC PLAN LINK:

Pillar: *Smart Planning*

Goal: *Make smart planning decisions to grow the community , while maintaining a "hometown feel"*

ATTACHMENTS:

Location Map

Prepared by: A. Kertesz, Planner

Reviewed by: A. Storrey, Interim Director of Planning and Development Services

Reviewed by: D. Barrick, Chief Administrative Officer