Hanover
Ontario, Canada

COMMITTEE OF ADJUSTMENT MEETING MINUTES

Tuesday, November 16, 2021 | 5:00 pm
Virtual Meeting via Zoom

MEMBERS PRESENT	Chair Pat Murphy | Mark Ebert | Larry Lantz | Brandon Koebel | Barbara Hicks
MEMBERS ABSENT	Nil
OTHERS PRESENT	Craig Hill, The GeoFocus Group | Amelia Sloan, Stantec Consulting Ltd. | Paul Ricciuto, The Avenue Hanover | Alan Ricciuto, The Avenue Hanover | Adam Altobelli, The GeoFocus Group | Patrick Maloney, Sullivan Mahoney LLP | Jeannette Wilken | Rose Ahrens | Ian & Ruth McCombie | Sue Paterson | Linda Schwartz | Diane McNichol-Byer | Ken Campbell | Jim & Lois Jackson | Don Tedford, Secretary-Treasurer | Brenda Goetz, Deputy Secretary-Treasurer | Brian Tocheri, CAO/Clerk | Andrew Wilken
DISCLOSURE OF PECUNIARY INTEREST	Brandon Koebel declared a pecuniary interest to Item #3, as he lives within the circulation area of the subject property
DELEGATIONS	Patrick Maloney, Sullivan Mahoney LLP | Amelia Sloan, Stantec Consulting Ltd. | Paul Ricciuto | Alan Ricciuto | Adam Altobelli | Jeannette Wilken | Rose Ahrens | Ian & Ruth McCombie

DISCUSSIONS & DECISIONS

1. **Adoption of November 3rd, 2021 Regular Meeting Minutes**

   MOVED BY LARRY LANTZ / SECONDED BY BARBARA HICKS
   THAT the minutes of the November 3, 2021 Regular Meeting are hereby adopted as circulated and printed.

   CARRIED

2. **Business arising from Minutes**

   Larry Lantz stated the minutes should mention density in relation height for the parking.

3. **Minor Variance Application No. A3-21 --- 2854116 Ontario Ltd. c/o Sloan, Amy**

   The Secretary-Treasurer stated that this application was deferred to address proportionality of relationship for parking spaces and access onto 24th Avenue.

   Chair Pat Murphy welcomed Patrick Maloney, Sullivan Mahoney LLP and Amelia Sloan, Stantec Consulting Ltd. to the meeting.

   The Secretary-Treasurer stated that Minor Variance Application No. A3-21 applies to lands located at 651 23rd Avenue and described as Part of Lot 10, Concession 1, NDR and more specifically described as Part 1 to 3, Reference Plan 16R-11334 in the Town of Hanover, in the County of Grey.

The purpose of Minor Variance Application No. A3-21 is to vary the provisions of Zoning By-law 2912-15 to allow a height extension and relief from density and parking requirements to construct two 6-storey buildings with 71 units per building (142 total units) in the Large Format Commercial (C3) Zone to be constructed as per Section 12 Residential Type 5 (R5) Zone located at 651 23rd Avenue.

The Secretary-Treasurer stated that relief from Comprehensive Zoning Bylaw 2912-15 is being sought for building height, from 4 floors to 6 floors. The proposed multi-residential is a permitted use in accordance with Section 16.2(a)(iii) of the Large Format Commercial (C3) Zone.

Patrick Maloney, Sullivan Mahoney LLP, retained by the Applicant, followed up from the previous meeting by sharing a revised site plan, for which adds sufficient parking i.e. 1.25 spaces per unit (178 spaces), sidewalk being added to the south boundary, and a future entrance onto 24th Avenue. Although it has been stated that the Town will be proceeding with amending Comprehensive Zoning Bylaw 2912-15 by changing parking requirements, Minor Variance Application (File No. A3-21) continues to seek relief for parking spaces. Patrick Maloney further stated that access onto 24th Avenue (CR#28) requires further discussion with County of Grey. However, access via 24th Avenue should not have a negative connotation or delay the application from proceeding. This matter can be addressed during site plan control stage.

Amelia Sloan, Stantec Consulting Ltd. stated that the original application sought relief for height, density and parking. The ownership group presented a conceptual site plan with a parking ratio of 1.05 spaces per unit. Albeit, the number of spaces exceeded the amount required for a Senior Citizen Apartment, it fell short of the amount required for Multi-Residential Apartment. Therefore, the revised site plan reflects parking spaces at a ratio of 1.25 spaces per unit to more closely align with similarly-sized nearby municipal zoning requirements for parking for apartment dwellings. Furthermore, the design change addresses concerns from the community for potential on-street, overflow and visitor parking. The reduction of parking can be justified as the site is within walking distance to local amenities e.g. retail commercial establishments, schools, parks, trails, etc. via sidewalk connectivity, thereby promoting active transportation. It was further noted that the proposed parking ratio compares to existing apartment buildings within Town.

Amelia Sloan reiterated that the requested variance meets all four tests associated with a minor variance, in that the application is minor in nature and does not unduly create a hardship by causing additional parking on local roads. Additionally, the application is desirable for the community and conforms to the general intent of the Official Plan and Zoning Bylaw by creating additional rental accommodations and maintains the existing character of the neighbourhood.

The Committee members inquired about snow removal and storage measures. Patrick Maloney and Adam Altobelli stated that snow storage will occur on the east and west corners of the site, and when deemed necessary will be hauled from the site. Adam further stated that on-site personnel will assist with snow removal on a 24/7 basis and coordinate with off-site removal of snow. Residents of the facility will not be required to move their vehicles, as this will be coordinated with site personnel.

The Committee members inquired the size of units and rental fees. Adam Altobelli and Paul Ricciuto answered by stating the proposal is for 2-bedroom units varying in size from 700 to 900 square feet, and targeting the 55+ demographic age group. Adam Altobelli, Paul Ricciuto and Amelia Sloan reiterated that the proposed development will be an attainable form of rental housing that is comparable with the surrounding housing market. The actual monthly rental fee will be ascertained with a market study. The ownership group currently operate apartment buildings in many small communities such as Clinton, Port Elgin, Orangeville, Goderich and Bowmanville, etc.

The Committee members questioned whether this application is minor, or if the proposal should be seeking alternative planning approvals e.g. Zoning Bylaw Amendment process. Patrick Maloney assured the Committee and the public in attendance that for applications to be considered, they must meet the 4-test of a minor variance. Ontario Land Tribunal has determined that variances are not based upon percentages, but must consider impact. Amelia Sloan reiterated that the proposed impact for this type of development is far less than facilitating traffic movement from a commercial site, such as increased traffic, and noise with truck delivery, high frequency lighting, etc.

The Secretary-Treasurer further stated the Grey County Planning & Development Department in their review would have mentioned that this planning application should be considered for the minor variance process. It was further noted that the Solicitor and the Planner, both agreed that the application is minor in nature. The multi-residential use is permitted within the Large Format Commercial (C3) Zone. The impact of a 6-storey versus 4-storey apartment building would be considered minor for this location.

Parking and entrances construction will be regulated through the Site Plan Agreement and the parking space ratio is comparable to what currently exists at other sites within Town.

At this time, Chair Pat Murphy welcomed comments from the Public.

Jeannette Wilken, 763A 15th Street reiterated her concerns about parking during months with considerable snow deposits, and cars having to be removed from the site during snow removal procedures, and where will overflow visitor parking occur? Adam Altobelli and Paul Ricciuto through their experience with other sites, stated this has not been an issue in the past. Snow is trucked off-site when needed. On-site personnel perform snow removal by clearing entrances and internal sidewalks first, vehicular travel areas second, then move cars back and clear remainder of parking areas.

Rose Ahrens, 765A 15th Street reflected upon the Sun-Shadow Study as submitted. Ms. Ahrens stated that the Study only focused on the catchment area and the eastern sky, and she believes site lines will be impacted by morning sun, residents will lose privacy and dwarf existing neighbourhood and is not compatible for the area. Rose also stated that she does not consider this development minor in nature. Ms. Ahrens questioned where overflow parking will occur, especially during the winter months, and what deterrents may be encountered for emergency vehicles responding to the area. Ms. Ahrens also questioned what impacts may be prevalent to storm water drainage.

Ian & Ruth McCombie, 775 17th Street reviewed the amended site plan and relayed their concerns relating to barrier-free parking spaces, parking for courier delivery trucks, loading spaces, fire routes, buffering to adjacent residential sites, and the process for declaring lands surplus to the needs of the Municipality i.e. Block 100. In accordance with Section 6.12 of Town of Hanover Comprehensive Zoning Bylaw 2912-15, loading spaces are not required for residentially zoned buildings. Amelia Sloan confirmed that 3 barrier-free parking spaces are required for this development in accordance Section 6.13.5 of the aforementioned bylaw, and have been provided as shown on the site plan.

The Secretary-Treasurer updated members of the public with regards to site development agreements, for which include storm water management plans. These plans are reviewed in consultation with Saugeen Valley Conservation Authority. Furthermore, Block 100, Registered Plan 1131 is owned by the Town and contains a major sanitary sewer trunk line which services Wal -Mart. Block 100 is not a road allowance. No buildings can be located on this easement; however, parking would be permitted. The Town has not been approached by others to purchase or utilize these lands for other development proposals.

Being that there were no more questions, Chair Pat Murphy closed the floor to further discussions.

Subsequent to a very good discussion with regards to Minor Variance Application No. A3-21 and its conformity with the Official Plan, Zoning By-Law and the four-tests of a minor variance, it was then;

MOVED BY MARK EBERT / SECONDED BY BARBARA HICKS

THAT Minor Variance Application No. A3-21 be granted subject to the following conditions:

a) that approval be for this application only;

b) that a ratio of 1.25 parking spaces per unit be provided;

c) that the Owner enter into an agreement with the Town to participate with abutting sidewalk and curb construction (cost sharing agreement);

d) that the Owner enter into an agreement with the Town to participate with abutting or on-site community trail program (cost sharing agreement);

e) that road widening on 14th Street be deeded to Town of Hanover, and road widening on 24th Avenue be deeded to County of Grey;

f) that the daylight triangle at the intersection of 14th Street and 24th Avenue be deeded to the appropriate Municipality;

g) that the Owner enter an agreement with the Town for a future entrance be provided on 24th Avenue when the need arises due to traffic flow exceeding acceptable levels of service;

h) that a survey be prepared to confirm all boundaries;

i) that the rights to Block 100 be transferred to the Owner at an appraised value or the Owner enter into a surface easement agreement for the site development, and that an easement for existing sanitary trunk sewer be registered on Block 100, Registered Plan 1131; and

j) that buffering along the northerly property line be constructed, to the satisfaction of the Town of Hanover.

CARRIED

4. **New Business**

Nil

5. **Adjournment**

Moved by BRANDON KOEBEL

THAT this meeting now be adjourned at 6:11 pm.

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Committee Chair, Pat Murphy

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Secretary-Treasurer, Don Tedford