



PLANNING REPORT for the TOWNSHIP OF GUELPH ERAMOSIA

23-23 CofA A06-23 – 20 Gazer Crescent

Prepared by the County of Wellington Planning and Development Department in our capacity as planning consultants for the Township

MEETING DATE: December 20, 2023
TO: Chair and Members of the Committee of Adjustment
Township of Guelph Eramosa
FROM: Asavari Jadhav, Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION A06-23 (Kelly)**
20 Gazer Crescent
Ward 3
SCHEDULES: **1 – Sketch provided by applicant**

We have reviewed the application for minor variance and provide the following comments; please note the following comments are provided without the benefit of a site visit.

Recommendation

Be it resolved that the Committee of Adjustment of the Township of Guelph/Eramosa has received the following Planning Report regarding MINOR VARIANCE APPLICATION A06-23 – 20 Gazer Crescent and,

The relief being requested as part of Application A06-23 on the subject land be approved as follows:

1. Relief from Section 4.4.4.2 (b) and Section 7.2.5 of Zoning By-law No. 40/2016 to permit reduced side yard setback of 1.5 m, where as a minimum of 3 m is required.
2. Relief from of Zoning By-law No. 40/2016 to permit reduced side yard setback of 1.5 m for both decks, whereas a minimum of 2.5 m is required.
3. Relief from Section 5.1.10.3.2 (b) of Zoning By-law No. 40/2016 to permit maximum width of the driveway to be 10.71 m, whereas a maximum width of 7.5 m is permitted.
4. Relief from Section 5.1.10.2 of Zoning By-law No. 40/2016 to recognize that the existing parking area is located at a distance of 0.43 m from the lot line, whereas 0.6 m is required.

The following condition is recommended as a condition of approval:

1. That a grading and drainage plan be submitted to ensure there are no adverse impacts to adjacent properties.

Background

The intent of the application is to facilitate the conversion of an existing basement of the main dwelling into an ARU. The applicant is proposing internal and external alterations to the main dwelling to facilitate the conversion. The external alterations are proposing a minimum reduced side yard setback of 1.5 m for the proposed addition to the main dwelling, whereas a 3 m is required and minimum reduced side yard setback of 1.5 m for the deck, whereas 2.5 m is required. Further, relief is required to permit maximum width of the driveway to be 10.71 m, whereas 7.5 m is permitted. In addition, the Minor Variance application will recognize the existing parking area located at a distance of 0.43 m from the lot line, where 0.6 m is required. Figure 1 shows the subject lands of the application.

The details of the minor variance application are included in the table below:

Regulations	By-law Section	Required	Proposed	Relief Requested
Attached Additional Residential Unit – Minimum Interior Side Yard Setback	4.4.2.2 (b) and 7.2.5	3 m (9.8 ft)	1.5 m (4.9 ft)	1.5 m (4.9 ft)
Yard Encroachments - Deck	4.9	2.5 m (8.2 ft)	1.5 m (4.9 ft)	1 m (3.2 ft)
Driveway Width	5.1.10.3.2 (b)	7.5 m (24.6 ft)	10.71 m (35.1 ft)	3.21 m (10.53 ft)
Parking Area Location	5.1.10.2	0.6 m (1.9 ft)	0.43 m (1.4 ft)	0.17m (0.55 ft)



Figure 1 - Subject property

Our discussion of this application relative to the four tests under the Planning Act is as follows:

Four Tests	Discussion:
That the requested variance is minor in nature	<ul style="list-style-type: none"> The applicant is proposing internal and external alterations to the main dwelling to convert the entirety of the basement into an Additional Residential Unit. The applicant is requesting relief from reduced interior side yard setback of 1.5 m for the proposed addition to the main dwelling and 1.5 m for a deck, and increased driveway width of 10.71 m to facilitate the conversation. The application will also recognize the existing parking area is located at a

	<p>distance of 0.43 m from the lot line.</p> <ul style="list-style-type: none"> • The subject property is approximately 0.12 ha (0.3 ac) in size. • We would consider the variance minor in terms of impact.
<p>That the intent and purpose of the Zoning By-law is maintained</p>	<ul style="list-style-type: none"> • The subject property is zoned Rural Residential (RR). • A detached dwelling is a permitted use within the RR Zone. An ARU is also permitted provided the requirements of Section 4.4 of the By-law can be met. • Section 4.4.2.1.a permits an ARU to occupy the whole of the basement. • Section 4.4.4.2 (b) and Section 7.2.5 requires a minimum interior side yard setback of 3 m when exterior alterations to the main dwelling are proposed, whereas the applicant is proposing an interior side yard setback of 1.5 m for the proposed addition to the main dwelling. • The intent of requiring a minimum side yard setback is to provide adequate space for maintenance and access between yards on the subject property, to provide privacy and separation between abutting properties, and to ensure grading and drainage can be adequately addressed on the subject property. • Section 4.9 requires a minimum yard setback of 2.5 m for balconies and steps, unenclosed porches, and deck. The applicant is proposing the proposed deck to have a minimum side yard setback of 1.5 m, whereas a minimum 2.5 m is required. • Further, Section 5.1.10.3.2 (b) permits driveways to be a maximum width of 50% of the lot width or 7.5 m, whichever is less. The width of the lot was identified to be 33.38 m (109.56 ft) on the submitted site plan. Therefore, the maximum permitted width of a driveway is 7.5 m, whereas 10.71 m is proposed. • The intent of a maximum driveway width is to limit the amount of impermeable surface on a parcel to ensure the property is landscaped for proper design and drainage, to control parking, and for compatibility with surrounding properties. • Section 5.1 requires two (2) parking spaces for the detached dwelling and one (1) parking space for the accessory second unit, a total of three (3) parking spaces are required. The existing attached garage to the dwelling and the existing parking area provide adequate space to accommodate the required parking spaces. • Section 5.1.10.2 requires that no part of any parking area is located 0.6 m to any lot line. Therefore, relief is required to recognize the existing parking area located at a distance 0.43 m from lot line. • All the existing buildings meets all setback requirements.
<p>That the general intent and purpose of the Official Plan is maintained</p>	<ul style="list-style-type: none"> • The property is within the Hamlet of Promenade Park. • Single detached homes and Additional Residential Unit are permitted uses. • As per Section 4.4.6.1 the one ARU one shall be permitted within a single detached dwelling, provided that the ARU does not require the creation of an additional driveway access, adequate off-street parking can be provided and any exterior alterations to the main residence to accommodate an ARU, are minimized to reduce visual impacts on the streetscape.

<p>That the variance is desirable for the appropriate development and use of the land, building or structure</p>	<ul style="list-style-type: none"> • The subject property is surrounded by residential uses. • The proposed variances would facilitate conversion of the existing basement of the main dwelling into an ARU. • The variance requested for reduced side yard setbacks, increased driveway width and recognize the existing parking area located at reduced distance from lot line. The portion of the front yard is continued to be landscaped. • We would expect minimal impacts to the streetscape as the external changes proposed largely affect the location of the garage. • Any comments regarding requirements for servicing from the Building Department and Public works should be considered. • The proposed variance is appropriate development and desirable for the use of the land.
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Agency Comments

- *Building Department:* Provide a grading plan for the Building Permit to ensure water from the roof on the south side (the reduced setback side) is being drained away from the adjacent property owner.
- *Public Works:* A grading and drainage plan is required to ensure there are no adverse impacts to adjacent properties. Downspout locations for the proposed addition are to be shown complete with drainage path to an appropriate outlet.
As there appears to be property line trees which may be impacted by the addition, it is recommended that any tree removals be identified on the grading plan.
- *GRCA:* No comments
- *Source Water Protection:* No objections subject to the following requirements and conditions:
 - 1) Pursuant to the Clean Water Act, there is no Notice required for this proposal. It should be noted that if the nature of the development changes, Section 59 Notices may apply.
 - 2) That the owners implement best management practices, such as LID measures, with the goal to maintain pre-development recharge.

Conclusion

Planning staff are satisfied that the minor variance application would maintain the general intent and purpose of the Official Plan and Zoning By-law and is desirable and appropriate for the development of the subject property.

Respectfully submitted,
County of Wellington Planning and Development Department

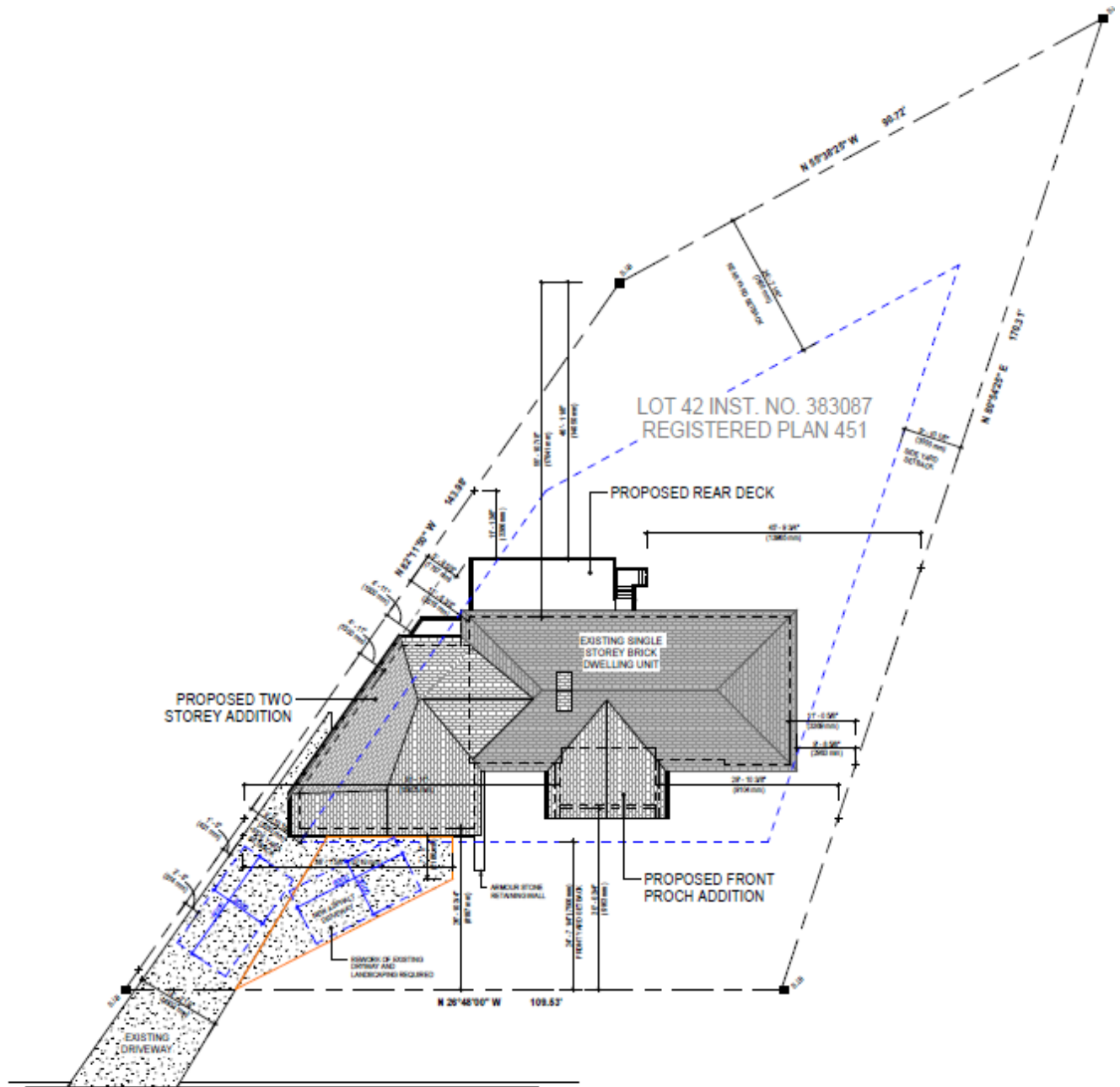


Asavari Jadhav
Planner

Reviewed by
Township of Guelph Eramosa CAO

Ian Roger, P.Eng.
CAO

SCHEDULE 1: Sketch provided by the applicant



GAZAR CRESCENT

PROPOSED SITE PLAN
DATE