



**PLANNING REPORT 22-20
for the TOWNSHIP OF GUELPH ERAMOSIA**

CofA A06-22 – 7857 Eastview Rd

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

- MEETING DATE:** July 6th, 2022
TO: Chair and Members of the Committee of Adjustment
 Township of Guelph Eramosa
FROM: Joanna Salsberg, Planner
 County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION A06-22 (Van Tol)**
7857 Eastview Rd
Ward 3
SCHEDULES: **1 – Sketch provided by applicant**
2 – Site plan drawing provided by applicant
3 – Aerial Image of building cluster

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 A06-22 – 7857 Eastview Rd, and

The relief being requested as part of Application A05-22 on the subject land be approved as follows:

1. Relief from section 4.4.1.3 of Zoning By-law No. 40/2016 to permit an accessory second unit with a maximum gross floor area of 56.4% of the principal dwelling, whereas the maximum permitted gross floor area permitted is 45% of the principal dwelling.

Background

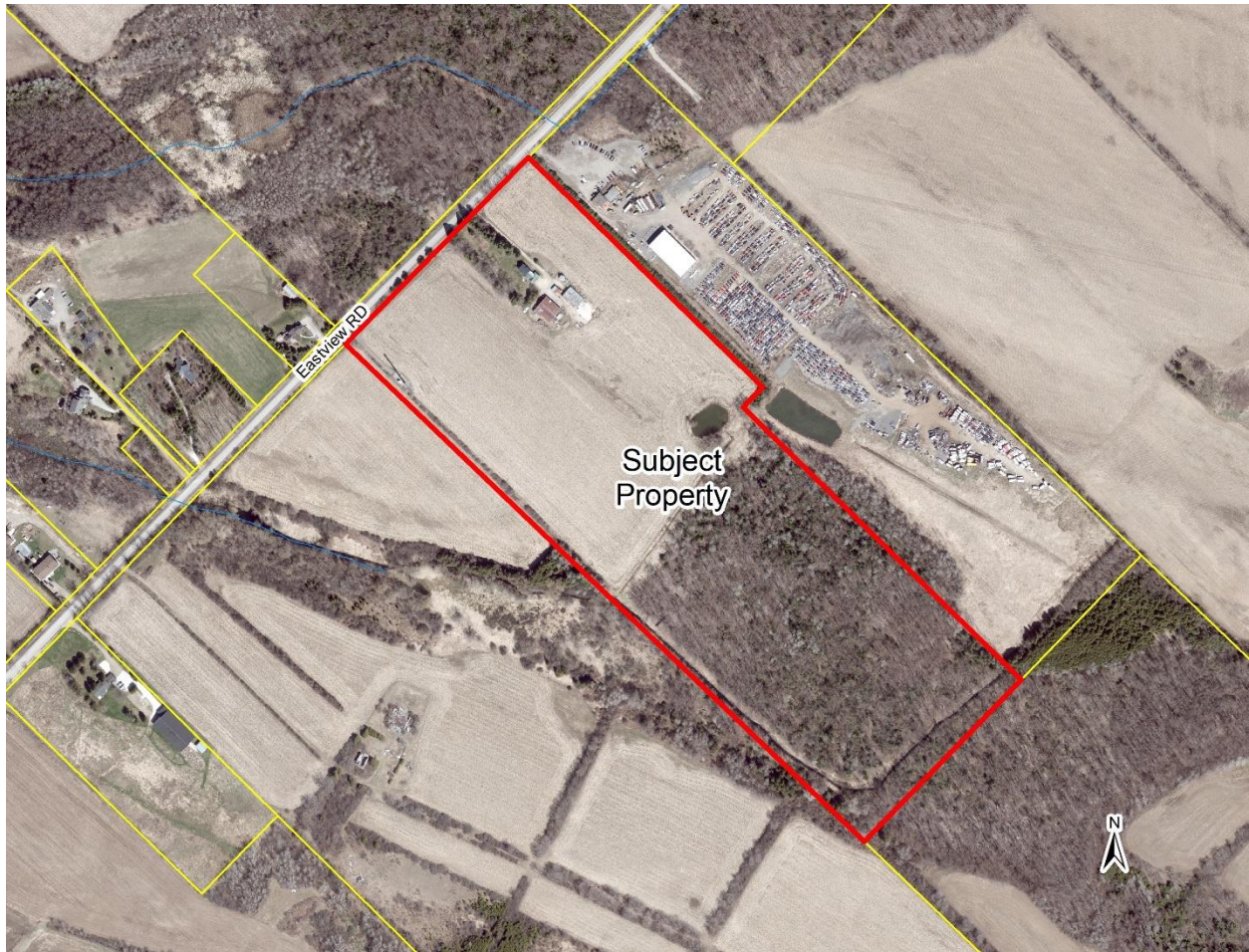
The intent is to construct a two-storey addition, which includes a garage, mudroom, pantry, closet, and an enlarged bathroom associated with the principal dwelling, as well as a common area landing to access the accessory second unit. The accessory second unit is proposed to be located within the second storey, above the garage. The purpose of this application is to enable the construction of an accessory second unit within a proposed addition to an existing detached dwelling. Relief from the Zoning By-law is required related to the gross floor area (GFA) of the accessory second unit. **Figure 1** shows the subject lands of the application.

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

Regulation	By-law Section	Required	Proposed	Relief Requested
Maximum Gross Floor Area of an	4.4.1.3	45%	56.4%	11.4%

accessory second unit				
-----------------------	--	--	--	--

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 requesting relief to permit the construction of an accessory second unit within a proposed two-storey addition to an existing detached dwelling. The accessory second unit is proposed to occupy the second storey of the addition. • The proposed GFA of the accessory second unit is 105.4 m² (1,134 ft²) which exceeds the maximum permitted GFA of 45% of the principal dwelling by 11.4%. • The addition is to replace the existing garage on a similar although larger footprint. • The proposed addition is located on the rear of the existing detached dwelling and is partially screening by existing vegetation which limits the visibility of the accessory second unit from Eastview Rd.

	<ul style="list-style-type: none"> • The creation of the unit does not result in the proposal for a new driveway access.
<p>That the intent and purpose of the Zoning By-law is maintained</p>	<ul style="list-style-type: none"> • The subject lands are located within the Agricultural Zone (A) and the Environmental Protection Zone (EP). The existing dwelling and the proposed addition are fully within the A Zone. • A detached dwelling is a permitted use within the A Zone. An accessory second unit is also permitted provided the requirements of section 4.4 of the By-law can be met. • Section 4.4.1.3 requires that ‘the maximum gross floor area of an accessory second unit shall be no more than an amount equal to 45% of the GFA of the main dwelling to a maximum size of 115 m². The GFA of the accessory second unit is 56.4% of the GFA of the main dwelling. However, the accessory second unit does not exceed the maximum size of 115 m². • The intent of providing a maximum GFA for an accessory second unit is to ensure that the unit remains subordinate in use and function to the main dwelling. • Section 5.1 requires two (2) parking spaces for the detached dwelling and one (1) parking space for the accessory second unit, for a total of three (3) required spaces. The proposed garage and existing parking area provide adequate space to accommodate the required parking spaces.
<p>That the general intent and purpose of the Official Plan is maintained</p>	<ul style="list-style-type: none"> • The subject lands are designated as Prime Agricultural, Greenlands and Core Greenlands within the County of Wellington Official Plan. Greenland features on the property include Provincially Significant Wetland, wetland, and significant woodlands. • The existing dwelling and proposed addition are located fully within the Prime Agricultural designation. • Section 6.4 directs that single detached homes are permitted in Prime Agricultural Areas, and additional residential units are permitted subject to section 4.4.6. • The Official Plan directs that additional residential units are an effective form of intensification and provide opportunities for alternative housing, increase the availability of affordable rental housing, and provide alternative sources of income for home owners.
<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 lands are bounded by rural residential and agricultural uses to the north, west, and south, and bounded by a salvage yard and agricultural uses to the east. • The subject lands contain an existing detached dwelling, barn, shed, shop, grain bin, and a cell tower. As this is an addition to the existing dwelling, the unit is located within the establish building cluster. • The subject lands are serviced by private well and septic system. On the submitted drawing the applicants have indicated a new septic system to be installed and indicated the location of the existing well.

	<p>Servicing capacity and requirements will be reviewed as part of the building permit.</p> <ul style="list-style-type: none"> • Although the proposed accessory second unit is 56.4% of the GFA of the main dwelling, it is smaller in floor area (105.4 m²) in comparison to the primary dwelling (186.7 m²) and does not exceed the maximum size of 115 m². • The main dwelling is modest in size and therefore results in a smaller permitted GFA. The definition of GFA also limits what can be included within the calculation. • Parking for the accessory second unit and the main dwelling can be accommodated on the property. The unit is located within the building cluster and the addition replaces an existing garage that, although larger, is similar in footprint to what is existing. The accessory second unit is located to the rear of the existing dwelling and is partially screened from Eastview Rd. The applicant is not proposing an additional driveway to the unit.
--	--

Agency Comments

- **Building Department:** No comment.
- **GRCA:** No comment.
- **Fire Department:** No comment.
- **Public Works:** No comments or objections.
- **Wellington Source Water Protection:** A Notice was issued under section 59 2(a) of the *Clean Water Act, 2006*. Although the new septic system will create a significant drinking water threat, it will be managed with the inspection program, and such neither section 57 nor 58 of the Clean Water Act apply. A section 59 2 (a) Notice to proceed is being provided.

Planning Comments

The subject property is serviced by private sewer and water services. Review to ensure adequate servicing will be completed as part of the Building Permit review.

Conclusion

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. Planning Staff have no concerns with this application.

Respectfully submitted
County of Wellington Planning and Development Department

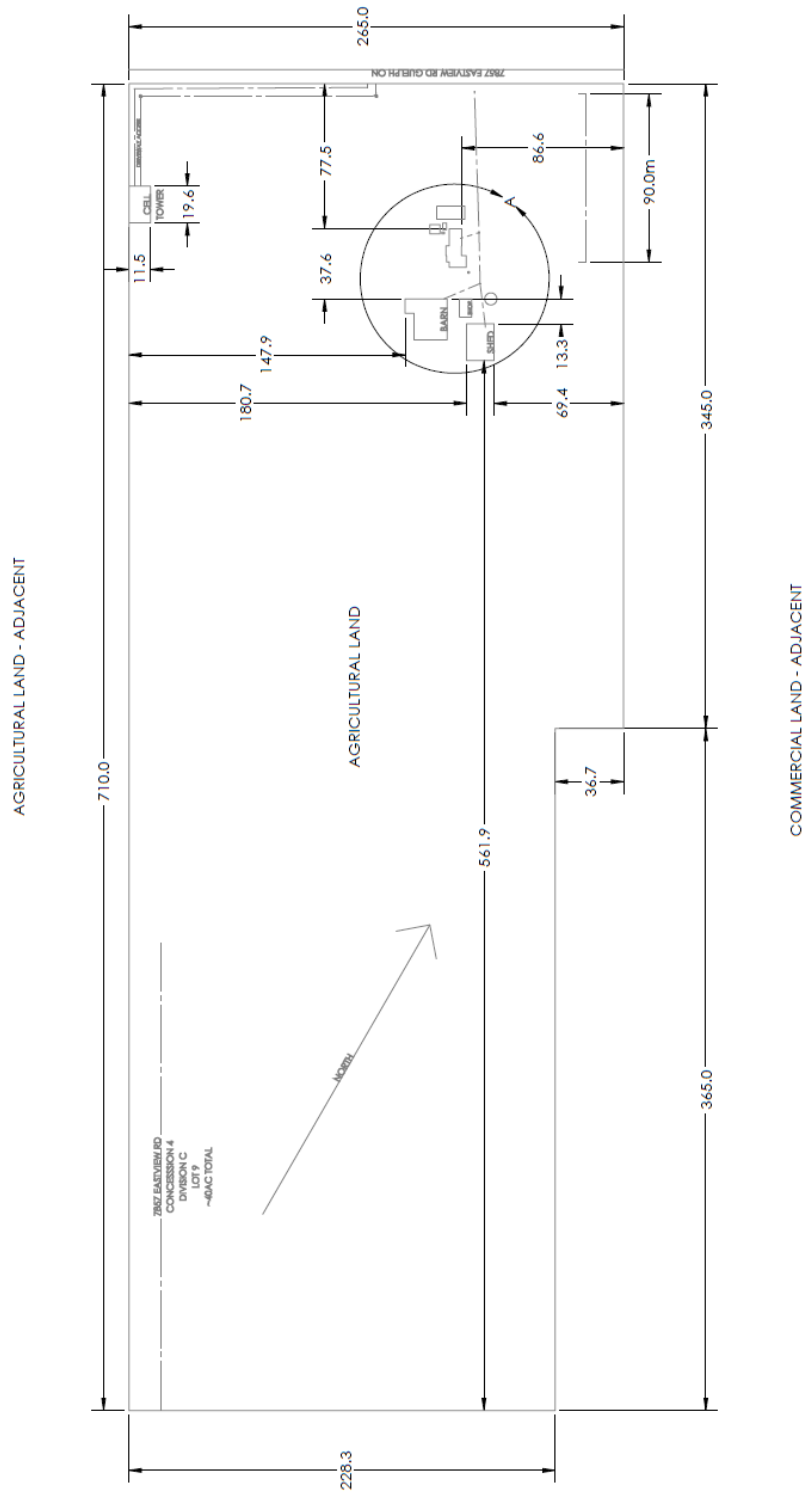


Joanna Salsberg, B.A., M.PL.
Planner

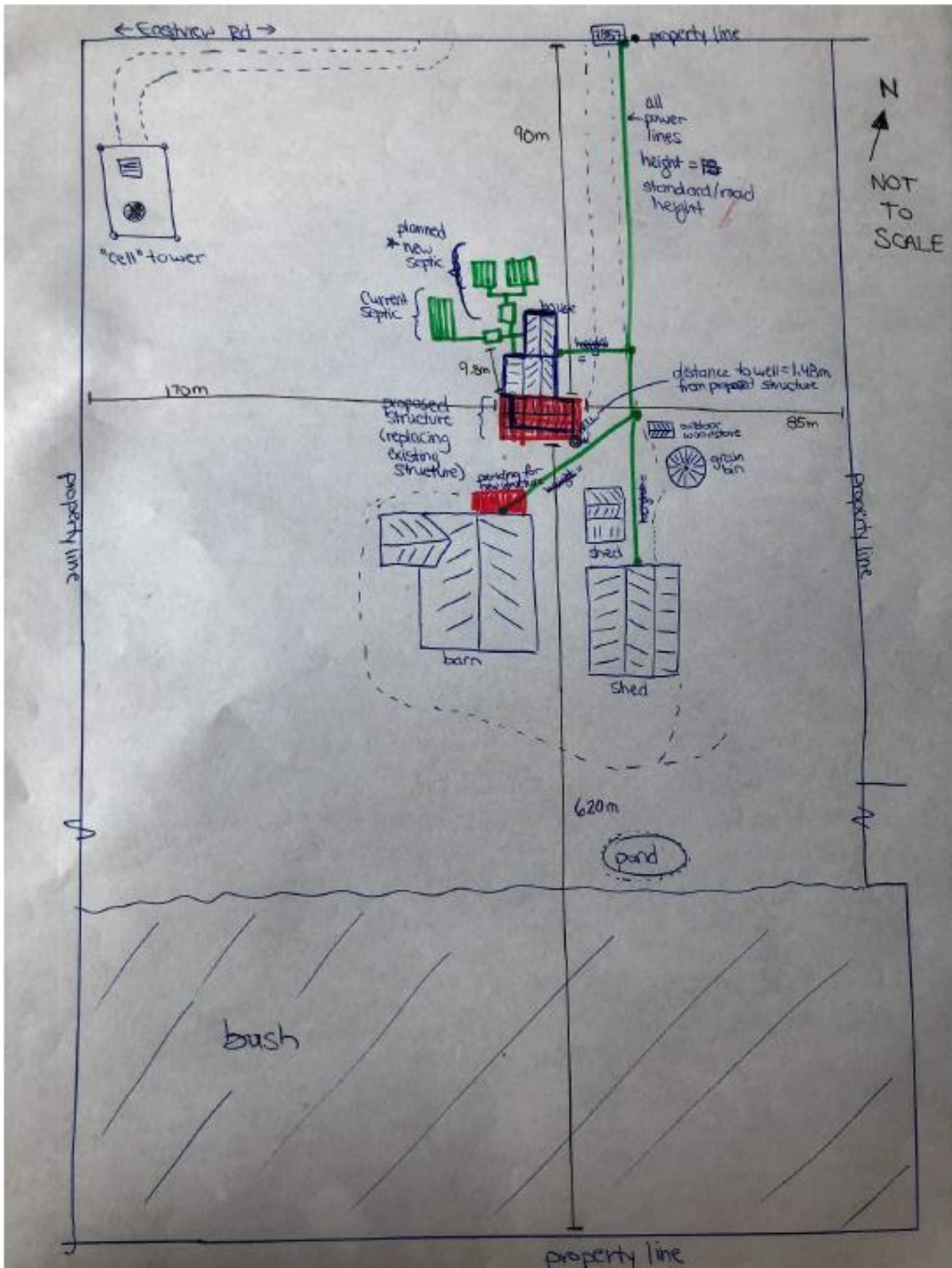
<p>Reviewed by Township of Guelph Eramosa CAO</p> <p>_____ Ian Roger, P.Eng. CAO</p>

SCHEDULE 1: Sketch provided by the applicant

DRAWING NAME: 7857 EASTVIEW RD. CONCEPT PLAN
 DATE: JUNE 7TH 2022
 REVISION: A
 SHEET 1 OF 2



SCHEDULE 2: Site plan drawing provided by applicant



SCHEDULE 3: Aerial Image of building cluster

