



**PLANNING REPORT #22/03
for the TOWNSHIP OF GUELPH ERAMOSA**

CofA A08-21– 169 Scots Ln

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

MEETING DATE: January 26th, 2022
TO: Chair and Members of the Committee of Adjustment
Township of Guelph Eramosa
FROM: Zach Prince, Senior Planner
County of Wellington
SUBJECT: **MINOR VARIANCE APPLICATION A08-21 (Barrand)**
169 Scots Lane
Ward 4
ATTACHMENTS: 1 – Grading Plan provided by the 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 A08-21 – 169 Scots Lane, and;

The relief being requested as part of Application A07-21 be approved as follows:

- 1. Relief from Section 5.2 of By-law No. 34/1995 to permit a driveway setback of 0.25 m (0.82 ft) where 1 m (3.2 ft) is required.

Background

The purpose of this application is to recognize an existing driveway in Rockwood as seen in **Figure 1**. The applicant has constructed a new driveway located 0.25 m from the property line. Prior to widening the driveway, the setback was 0.6 m, which was an existing condition since the home was constructed in 2003. Recently the owner has reconstructed and widened the driveway and this change resulted in a reduced setback to 0.25 m from the side yard lot line. The property is zoned R1-2 in the Guelph/Eramosa Zoning By-law 34-95 which is applicable to Rockwood South Subdivision.

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

Regulation	By-law Section	Required	Proposed	Relief Requested
Driveway Setback	5.2	1 m (3.3 ft)	0.25 m (0.8 ft)	0.75 m (2.5 ft)

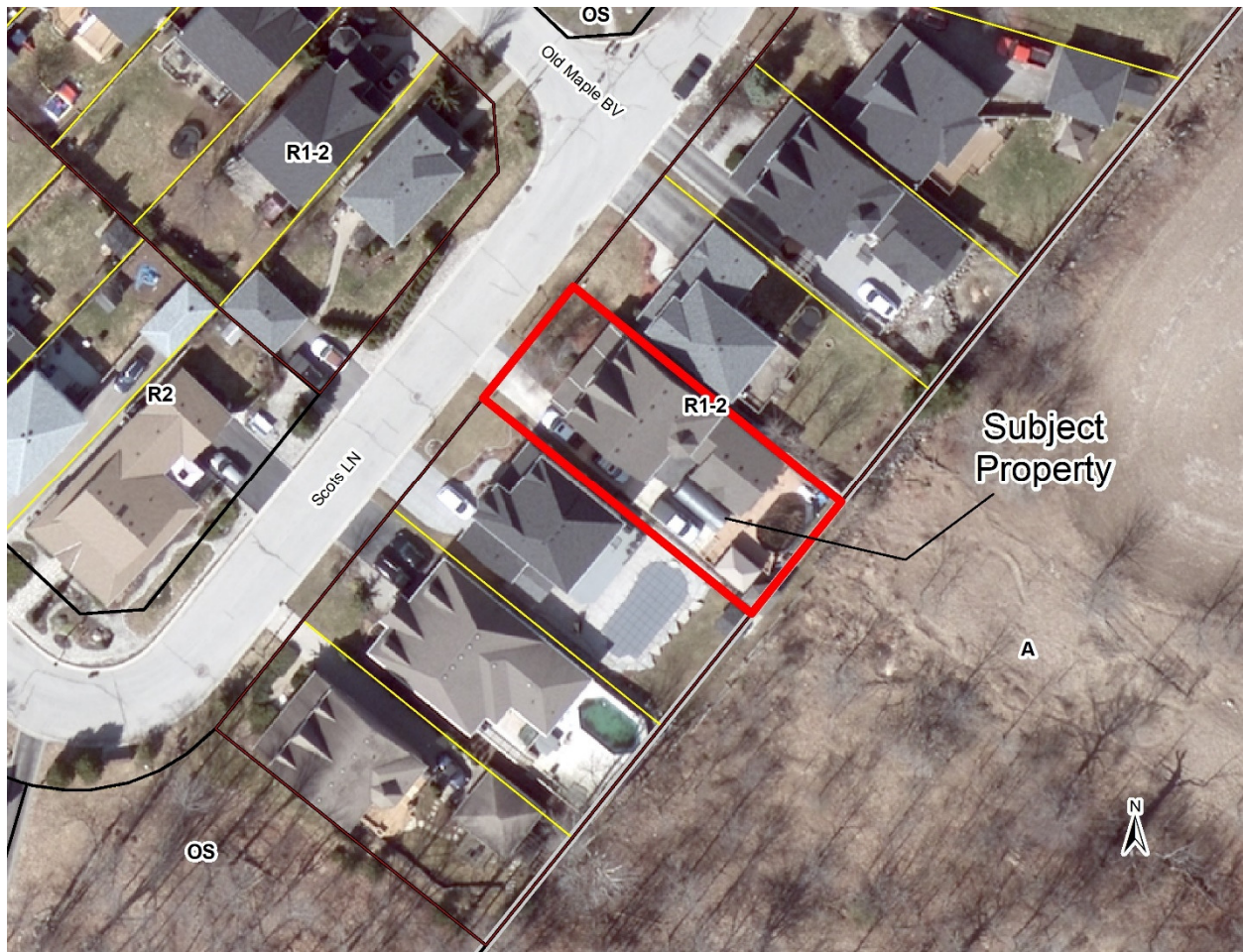


Figure 1 - Subject Property

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 requesting to recognize an existing condition. • Prior to replacing the driveway the setback was less than permitted in the zoning by-law but was consistent with the surrounding driveways. • The Township Public Works department has confirmed that the reduced setback still provides enough room to have no impacts on the neighbouring property, provided the area is appropriately graded.
That the intent and purpose of the Zoning By-law is maintained	<ul style="list-style-type: none"> • The subject lands are zoned Residential (R1-2) within the Zoning By-law and are situated in Rockwood. • A detached dwelling is a permitted use within this zone. • The intent of the side yard driveway setback is to ensure that drainage can be addressed on the subject property and to create a sense of consistency within the surrounding neighbourhood. • Based on the grading plan provided by the owner and reviewed by the public works department the widened driveway and the resulting reduced setback is not anticipated to have negative

	impacts on the neighbouring property with respects to drainage
That the general intent and purpose of the Official Plan is maintained	<ul style="list-style-type: none"> • The property is designated as Residential, which permits dwellings. • Driveway widths and setbacks are controlled through the Township’s zoning By-law.
That the variance is desirable for the appropriate development and use of the land, building or structure	<ul style="list-style-type: none"> • The reconstructed driveway and the increase in the driveway width allows for easier vehicular passage between the side of the house to access the existing garage located at the rear of the property. • The front yard remains landscaped and the widening is in towards the side yard lot line. • Subject to appropriate grading the additional width would have no negative effects on neighbouring properties.

Agency Comments

- **Building Department:** No Comments
- **GRCA:** No Comments
- **Fire Department:** No Comments
- **Wellington Source Water Protection:**
- **Public Works:** I have reviewed the December 23, 2021, Planning circulation for the above noted Minor Variance application. The nature of the variance is to permit a reduced side yard setback for a driveway.
I have reviewed the supporting materials and have no objection provided the driveway is graded as proposed such that the adjacent property experiences no negative drainage impacts.

Planning Comment

An additional variance for driveway width was initially included as a variance on this application, as the length in front of the garage is 7.05 m where the By-law states the driveway shall not exceed 6 m in width. Through additional review with Township staff, it was confirmed that this variance is no longer required as part of this application because of the orientation of the garage therefore the area in front of the garage may be considered also as length. The width of the driveway along the side of the house to access the garage in the rear is approximately 3 m.

Regarding the reduced side yard setback, a grading plan has been included as **Attachment 1** which has been reviewed by the Township’s Public Works Director. Subject to the grading plan being constructed, as noted by the Director, and provided there is enough space to appropriately grade without impacting the neighbouring property, Planning Staff also have no concerns.

Respectfully submitted

County of Wellington Planning and Development Department



Zach Prince RPP MCIP, Senior Planner

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

ATTACHMENT 1: Grading Plan provided by the applicant

**SKETCH FOR BUILDING PERMIT APPLICATION
LOT 12, REGISTERED PLAN 61M-77
TOWNSHIP OF GUELPH-ERAMOSA**

SCALE: 1 - 250

- CAUTION:**
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
 - IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION ALLOWS GRAVITY CONNECTION TO SEWER LINES.
 - © - THIS SKETCH IS PROTECTED BY COPYRIGHT.
 - THIS LOT MAY CONTAIN STRUCTURAL FILL.

NOTE: LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M-77 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONING: R1

- FRONT YARD - 4.50 MIN. TO PORCH
- SIDE YARD - 1.20 MIN. (ONE SIDE)
- SIDE YARD - 1.50 MIN. (OTHER SIDE)
- REAR YARD - 7.50 MIN.
- COVERAGE - 35% MAX.

TOP OF FOUNDATION = 368.00
UNDERSIDE OF FOOTING = 365.48
BASEMENT FLOOR = 365.71
FINISHED FLOOR = 368.25
GARAGE CUT = 0.60

TOP OF FOUNDATION @
REAR LEFT TO GRADE = ~~1.23~~ (10") 1.07m
REAR RIGHT TO GRADE = ~~1.05~~ (8") 0.80m
FRONT RIGHT TO GRADE = 0.20 (8")
FRONT LEFT TO GRADE = 0.39 (15")

As-built grade shots of the new driveway are in blue

SCOTS LANE
(12.0 METRES WIDE)

THESE ELEVATIONS ARE BEST AVAILABLE SITUATIONS TAKEN AUGUST 11, 2004

