



**PLANNING REPORT #22/27
for the TOWNSHIP OF GUELPH ERAMOSIA**

CofA A08-22– 310 Main Street South

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

MEETING DATE: August 31st, 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 A08-22 (Crescent Haven Homes Inc.)
310 Main Street South
Ward 4**
SCHEDULES: **1 - Submitted Site Plan
2 – Elevation Drawings
3 – Site Plan Approximate Flood Plain Location for EP Zone Boundary
Interpretation**

We have reviewed the application for minor variance and provide the following comments; please note the following comments are provided with the benefit of a site visit on May 31st, 2022.

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 A08-22 – 310 Main Street, and;

The relief being requested as part of Application A08-22 be approved as follows:

1. Relief from Section 8.2.1.8 of Zoning By-law No. 40/2016 to permit a maximum building height of 10.7 m (35.1 ft) where a maximum of 9 m (29.5 ft) is required.
2. Relief from Section 8.2.1.4 of Zoning By-law No. 40/2016 to permit a rear yard setback of 7.17 m (23.5 ft) where a minimum of 7.5 m (24.6 ft) is required.

Background

The purpose of the application is to construct a detached dwelling on the subject lands within the Urban Centre of Rockwood. Relief from the Zoning By-law is required related to the height of the proposed dwelling (measured at the front of the building) and the rear yard setback to facilitate the construction of the dwelling.

The current configuration of 310 Main Street was created through consent applications B50-18 and B51-18 which were completed in September 2020. The property contains valley slope and flood plain associated with Richardson Creek. As part of this consent application, Grand River Conservation Authority (GRCA) reviewed a slope stability analysis and addendum prepared by Engtec Consulting Inc. In GRCA's comments for the severance it was indicated that the proposed residential development would not cause

slope instability. GRCA had no objections to the proposed severance to create residential lots. Township Council was in support of the applications and County Planning Staff supported the application.

In 2021, consent application B115-20 received approval granting permission for a servicing easement for 310 Main Street and the three other lots created through consent applications B50-18 and B51-18.

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

Regulation	By-law Section	Required	Proposed	Relief Requested
Maximum Building Height	8.2.1.8	Maximum height of 9 m (29.5 ft)	10.7 m (35.1 ft)	1.7 m (5.6 ft)
Minimum Rear Yard Setback	8.2.1.4	Minimum Rear Yard of 7.5 m (24.6 ft)	7.17 m (23.5 ft)	0.33 m (1.1 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:
<p>That the requested variance is minor in nature</p>	<ul style="list-style-type: none"> • The applicant is requesting relief to facilitate the construction of a detached dwelling on a vacant parcel of land within the Urban Centre of Rockwood. • The relief requested is to permit the dwelling to exceed the maximum height and minimum rear yard setback provisions of the Village Residential Low Density (R1) Zone. • The subject lands contain a steep grade change from the northwest portion of the property to the south east portion. As a result, the dwelling is proposed to be constructed into the slope with lowest grade along the building located at the front of the dwelling along George Street E. The height at the front of the dwelling is proposed to be 10.7 m, whereas the back of the dwelling where the grade is highest is proposed to be 8.23 m. • Due to the topography of the lot and how the By-law measures height, not all sides of the dwelling exceed the maximum height of the R1 Zone. • The overall size of the building is still restricted as the additional height is the result of the lot's grade change and due to the definition of how height is measured within the By-law. • The proposed dwelling is setback back from Main Street S and meets the minimum required exterior side yard setback from George St E contributing to decreasing the visual impact on the surrounding land uses. • The properties in the immediate area are residential uses with a variety of dwelling designs including a mix of two-storey, 1.5 storey, one-storey dwellings and townhouse and semi-detached dwellings to the north. The proposed development is for a two-storey dwelling. • The proposed rear yard setback is 7.17 m, whereas 7.5 m is required by the Township Zoning By-law. The proposed rear yard setback of 7.17 m provides space for adequate access, movement and maintenance of the subject lands.
<p>That the intent and purpose of the Zoning By-law is maintained</p>	<ul style="list-style-type: none"> • The subject property is within Village Residential Low Density (R1) Zone, with a small portion of the Environmental Protection (EP) Zone identified on-site. • A detached dwelling is a permitted use within the R1 Zone. • The maximum height of a detached dwelling within the R1 Zone is 9 m in accordance with section 8.2.1.8 of the By-law, whereas the applicant is proposing a detached dwelling with a height of 10.7 m. • The definition of 'height' within the Zoning By-law, directs that height is measured as the vertical distance between the finished grade of the centre of the front of the building and the average level between the eaves and ridge for a gable roof. As the front of the proposed dwelling is located at the point of the building with the

	<p>lowest grade it results in the tallest possible height measurement for the proposed building.</p> <ul style="list-style-type: none"> • The intent of having a maximum height within the By-law is to ensure compatibility and to minimize visual impacts of the building on surrounding land uses, and to manage the overall size of buildings. • Section 8.2.4 of the By-law requires a minimum rear yard setback of 7.5 m within the R1 Zone whereas 7.17 m is proposed. • The intent of requiring a minimum rear 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. • All other requirements of the R1 Zone for detached dwellings are met including other setbacks, lot coverage etc. • Section 4.25 of the By-law requires minimum setbacks from the Environmental Protection (EP) Zone. This section requires that no building or structure shall be constructed within 30 m of the limit of the EP Zone. The By-law provides some flexibility that the setback may be reduced to a setback permitted by the applicable Conservation Authority through more detailed mapping of individual sites. It further clarifies that where more detailed mapping is available minor adjustments to the boundary may be made and the permitted uses of the adjacent zone will be applicable. • Through discussion with GRCA, it was determined that the EP Zone could be reinterpreted under section 4.25 of the By-law to align with the Official Plan mapping delineation of the flood plain on the subject lands (Schedule 3). • GRCA comments received indicate no objection to the minor variance application, a reduced setback from the EP Zone, and a GRCA permit (#107/22) has been issued for the property to permit the development of the detached dwelling.
<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 Residential and Core Greenlands within the County of Wellington Official Plan. • Detached dwellings are permitted within the Residential Designation. • The Greenlands System features on the property are hazard features including flood plain and slope valley. • The slope of the subject lands was reviewed as part of applications B50-18 and B51-18 by Grand River Conservation Authority (GRCA) who commented that the proposed residential development would not cause slope instability. • The proposed dwelling is located outside of the flood plain delineated in the Official Plan. • GRCA comments indicate no objection to the minor variance

	<p>application and note that GRCA permit #107/22 has been issued for the property to permit the development of the detached dwelling.</p>
<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 located within the Urban Centre of Rockwood. • The subject property is bounded by existing residential uses to the north, west and south. The properties to the east are currently vacant, with proposed residential development through related minor variance applications A09-22, A10-22, and A11-22. • It is understood that the additional height for the proposed dwelling is a result of the proposed dwelling being constructed into a slope with the lowest grade at the building's front where height is measured. The dwelling is setback from Main Street S and not all sides of the dwelling exceed the maximum height in the R1 Zone. The size of the dwelling remains restricted as the additional height is the result of how height is defined in the By-law as well as the height of the grade around the base of the dwelling. The immediate surrounding land uses are residential with a variety of dwellings with a variety of designs. • The proposed rear yard setback allows for unencumbered movement between yards, allows for access and maintenance of the subject lands. No door is proposed on the right elevation (drawing A103) contributing to providing privacy and separation between the subject lands and the abutting 120 George Street E. • The proposed dwelling also meets all other requirements of the R1 Zone for a Detached Dwelling. • The Committee should consider any comments from Township staff regarding grading and drainage. • The proposed dwelling is located outside of the flood plain delineated in the Official Plan. • The subject property is proposed to be serviced by municipal sewer and water. Servicing will be reviewed as part of the building permit application. • The GRCA has expressed no concerns, they support a reduced EP Zone setback, and have issued a development permit.

Agency Comments

- **Building Department:** No comment received at the time of this report.
- **GRCA:** The GRCA has no objection to the additional Minor Variances (0m setback from the EP zone and reduced rear yard and has no objection to the mapping that reflects the current conditions of the features on-site. We note that GRCA permit 107/22 has been issued for the property to permit the development of a single detached home.
- **Public Works:** No comments or concerns.
- **Fire Department:** No comment or objection.
- **Wellington Source Water Protection:** Since this property is not located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the Clean Water Act.

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

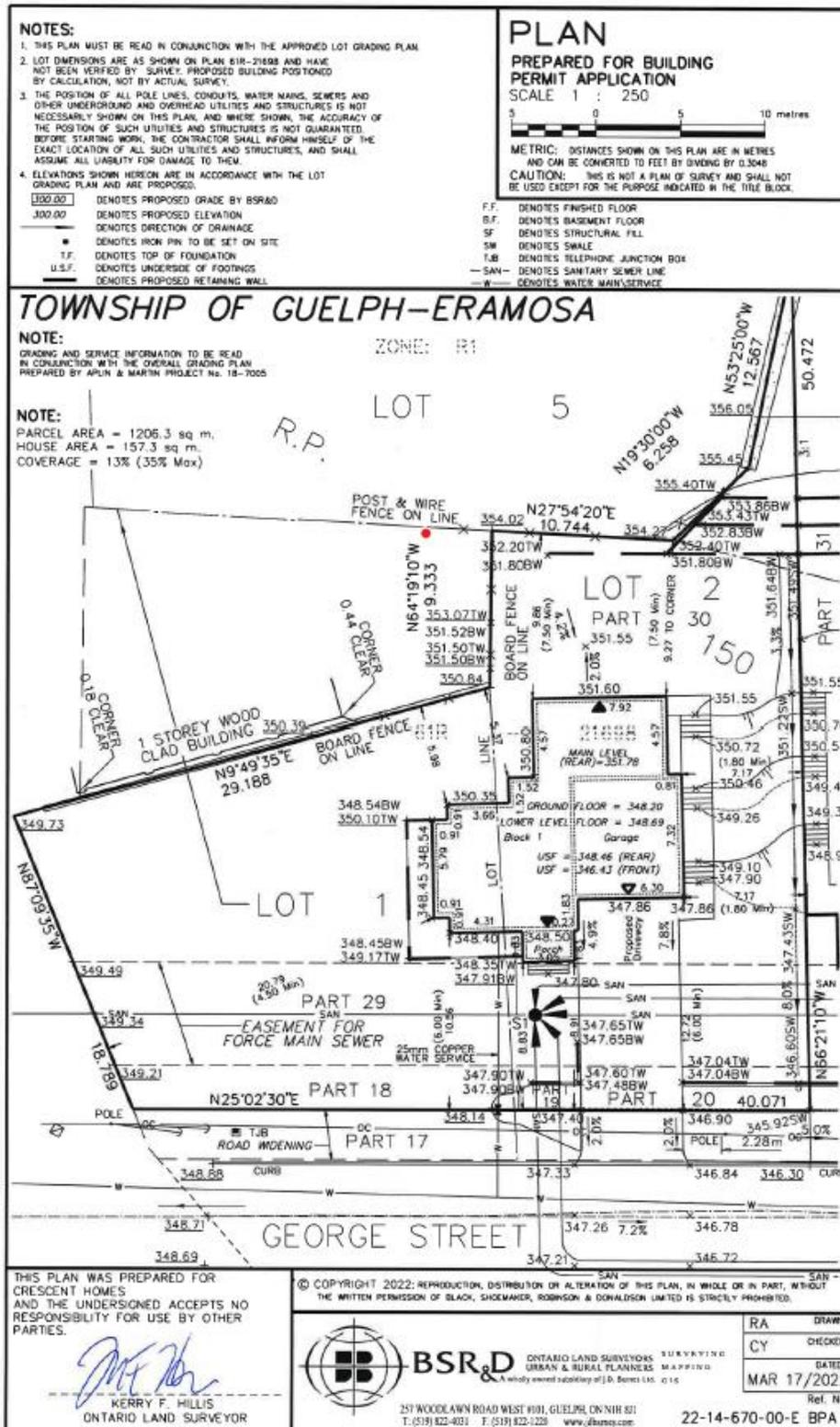


Joanna Salsberg, B.A., M.P.L., Planner

Reviewed by
Township of Guelph Eramosa CAO

Ian Roger, P.Eng.
CAO

SCHEDULE 1: Submitted Site Plan



SCHEDULE 2: Elevation Drawings

PLANNING REPORT #22/27 for the TOWNSHIP OF GUELPH ERAMOSA
 A08-22 (Crescent Haven Homes Inc.)
 August 31st, 2022 | page 7

Drawings are not valid for permits, unless they have been stamped. They are only valid for the original address in the titleblock. Do not scale.

Client: Crescent Homes
Rockwood Block 1

Location: George St. E., Joseph Eramosa, ON

JDC
JANSEN DESIGN
116063 ZINC BRIDGE RD
MILTON, ON L7Y 2C5
Phone # 519.925.0863
Fax # 519.925.1371
Email: nataha@jansendesign.ca

BCIN QUALIFIED CERTIFIED
THE GENERAL CONTRACTOR SHALL REPORT ALL ERRORS AND OMISSIONS TO THE ENGINEER AND PROCEEDING WITH THE WORK.
The undersigned has reviewed and takes responsibility for this design, and has the responsibility to ensure that the design meets all applicable requirements set out in the Ontario Building Code to be a designer.
QUALIFICATION INFORMATION:
Paul Jansen BCIN 25851

REGISTRATION INFORMATION:
Firm Name: Jansen Design & Construction (inc. or s.r.o.)
(Div. of or BCIN 30709)

DRAWING TITLE: Rear Elevation

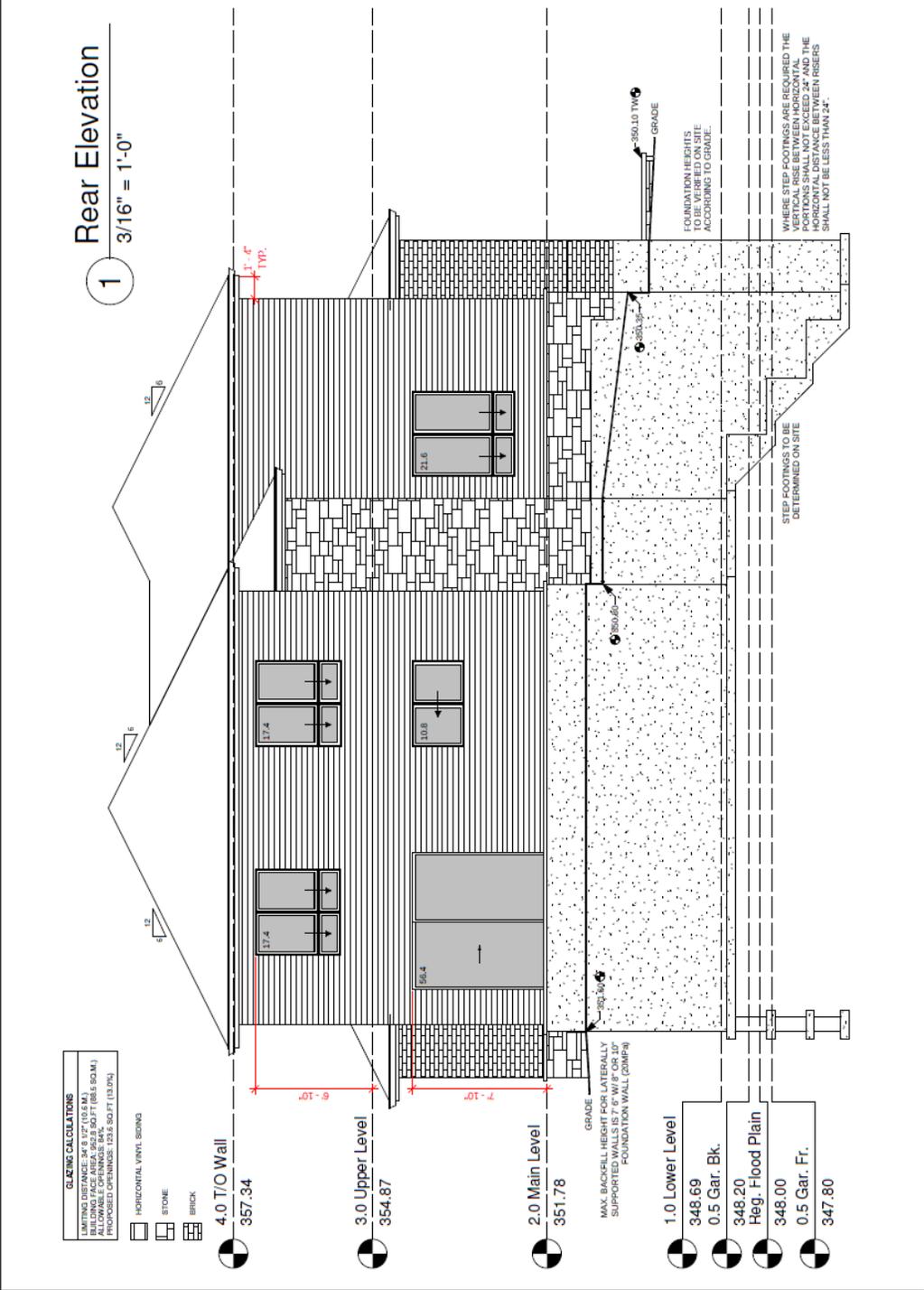
DATE: JUNE 21, 2021

DRAWN BY: NJ

CHECKED BY: PJ

PROJECT NO: 1905-1023

A102



Drawings are not valid for permits unless they have been stamped. They are only valid for the original address in the sidewalk. Do not scale.

Project: Crescent Haven Homes
Client: Crescent Haven Homes
Address: 116583 2nd Street, Unit 101, Markham, ON L3R 0Z5
Phone: 519.925.0863
Fax: 519.925.1371
Email: natalia@janssendsign.ca

CLIENT NAME: Crescent Homes
LOCATION: Rockwood Block 1
 George St. E.
 Guelph Eramosa, ON

JDC
 JANSSEN DESIGN
 116583 2nd Street, Unit 101, Markham, ON L3R 0Z5
 Phone #: 519.925.0863
 Fax #: 519.925.1371
 Email: natalia@janssendsign.ca



THE GENERAL CONTRACTOR SHALL REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER WITH THE WORK.

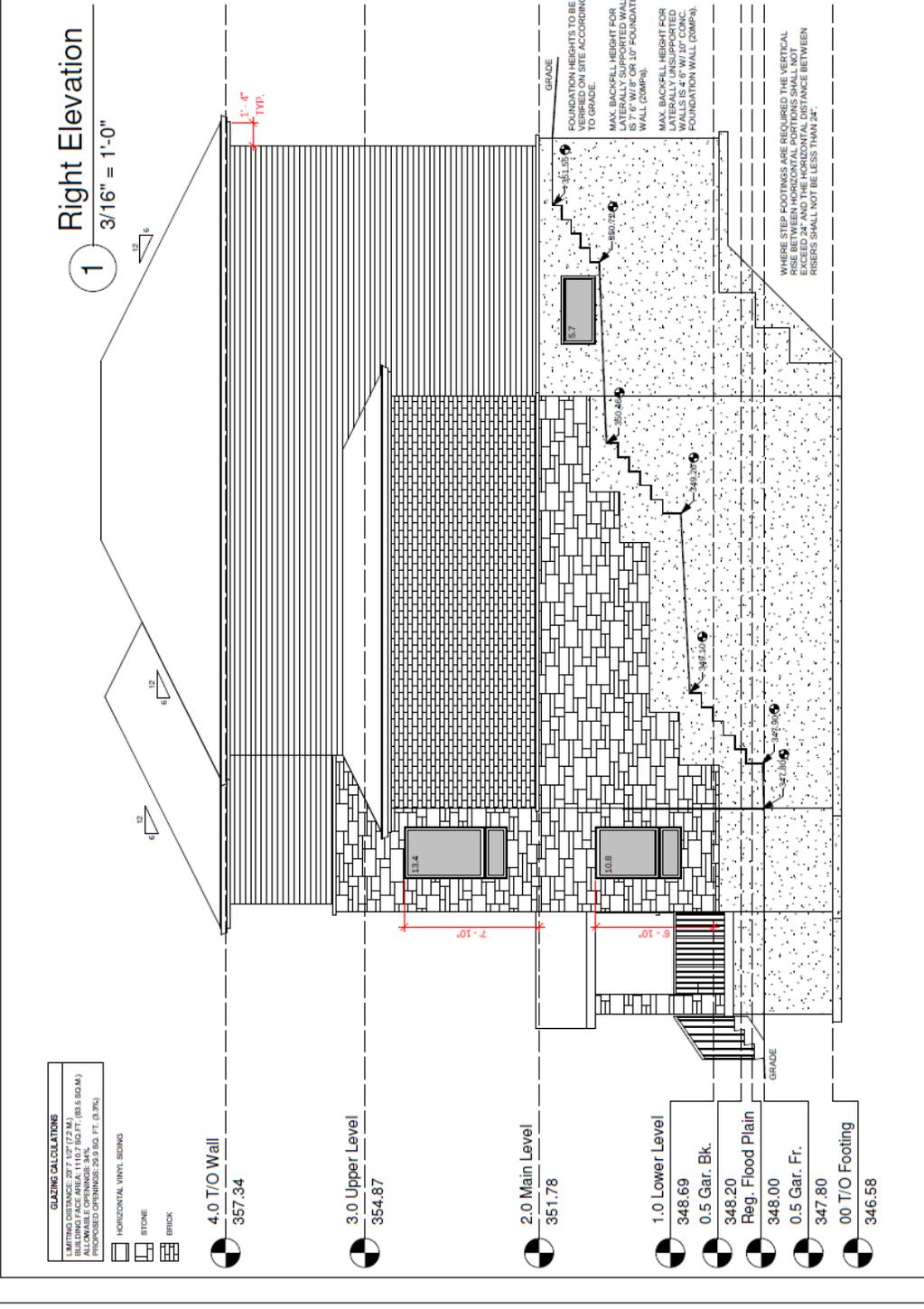
The undersigned has reviewed and takes responsibility for this design and has the responsibility to ensure that all requirements set out in this Ontario Building Code to be a designer.

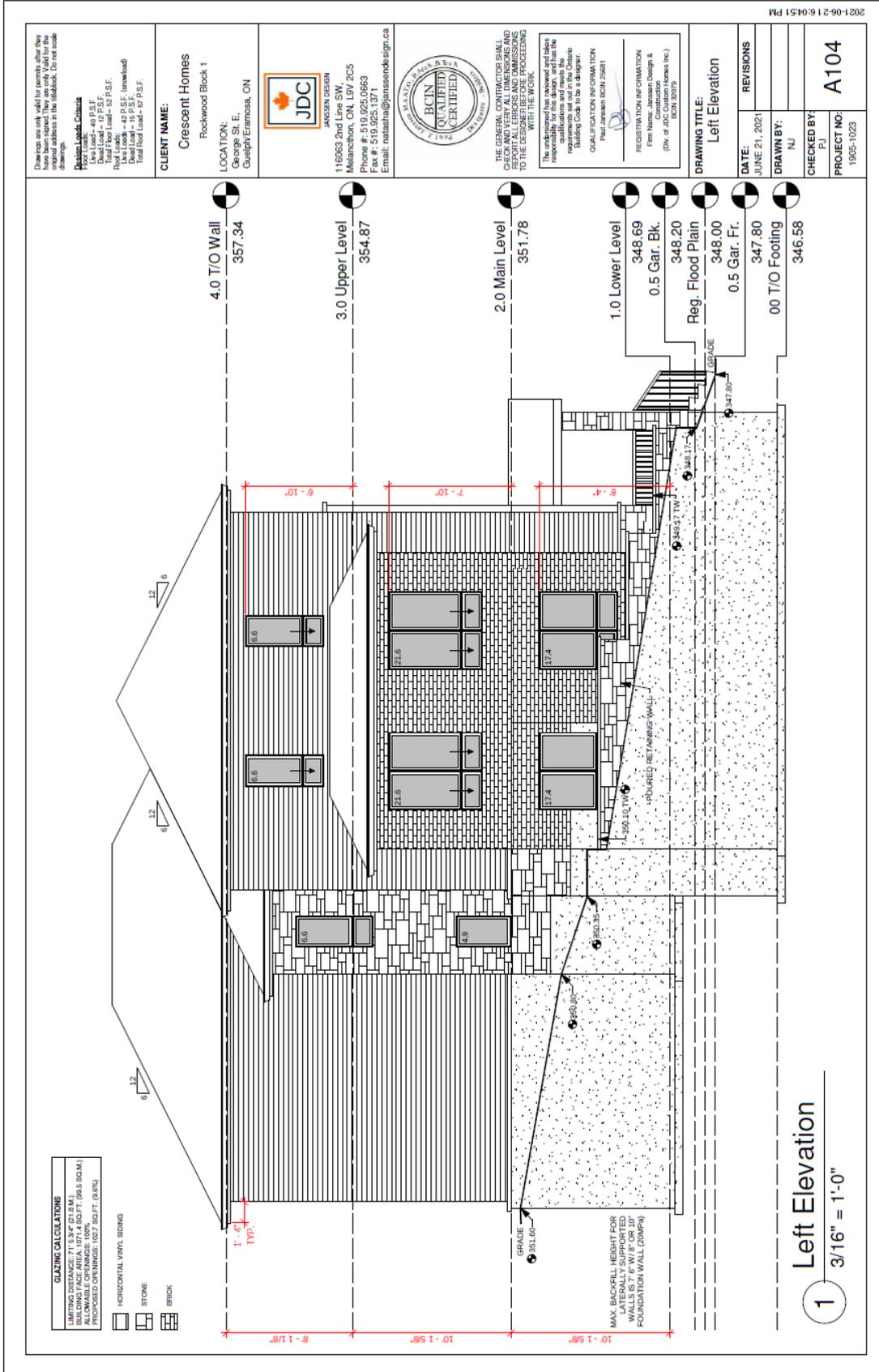
QUALIFICATION INFORMATION
 Paul Janssen BCIN 25681

REGISTRATION INFORMATION
 Firm Name: Janssen Design & Construction
 (Div. of Janssen Design & Construction Inc.)
 BCIN 20079

DRAWING TITLE: Right Elevation

DATE:	REVISIONS
JUNE 21, 2021	
DRAWN BY: NJ	
CHECKED BY: PJ	
PROJECT NO.: 1905-1023	
	A103





Drawings are not valid for permits unless they have been stamped. They are only valid for the address in the title block. Do not scale.

Project Load Criteria
 Floor Load: 40 P.S.F.
 Deck Load: 10 P.S.F.
 Total Floor Load: 50 P.S.F.
 Live Load: 40 P.S.F. (snowload)
 Dead Load: 10 P.S.F.
 Total Load: 50 P.S.F.

CLIENT NAME:
 Crescent Homes
 Rockwood Block 1

LOCATION:
 George St. E.
 Guelph/Ermosa, ON



JANSEN DESIGN
 116083 2nd Line SW
 Melancton, ON, L9V 2C5
 Phone #: 519.225.0863
 Fax #: 519.225.0863
 Email: natasha@jansendesign.ca



THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL WORK TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

The undersigned has reviewed and takes responsibility for the design and construction of the building. The undersigned is a duly licensed Professional Engineer (P.Eng.) in the Province of Ontario, Canada, and is registered with the Engineering Council of Ontario (E.C.O.).

QUALIFICATION INFORMATION
 Paul Jansen (BCIN 25681)

REGISTRATION INFORMATION
 Firm Name: Jansen Design & Construction (Div. of JDC Custom Homes Inc.)
 BCIN 8079

DRAWING TITLE:
 Left Elevation

DATE:	REVISIONS:
JUNE 21, 2021	
DRAWN BY: NJ	
CHECKED BY: PJ	
PROJECT NO.: 1905-1023	
	A104

GLAZING CALCULATIONS
 LIMITING DISTANCE: 7' 5 3/4" (2.28M)
 MAXIMUM WIND SPEED: 100 FT. (30.5 M)
 ALLOWABLE OPENINGS: 100%
 PROPOSED OPENINGS: 102.7 SQ.FT. (9.6%)

HORIZONTAL VINYL SIDING
 STONE
 BRICK

1 Left Elevation
 3/16" = 1'-0"

SCHEDULE 3 - Site Plan Approximate Flood Plain Location for EP Zone Boundary Interpretation

