



**PLANNING REPORT #22/28
for the TOWNSHIP OF GUELPH ERAMOSIA**

CofA A09-22– 120 George Street E

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 A09-22 (Crescent Haven Homes Inc.)
120 George Street E
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 A09-22 – 120 George Street E, and;

The relief being requested as part of Application A09-22 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 12.2 m (40.0 ft) where a maximum of 9 m (29.5 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 (measured at the front of the building) of the proposed dwelling.

It is noted on the Notice circulated for the application the requested relief was indicated as 12.9 m (42.3 ft). Since the circulation of the Notice the applicant has confirmed the height of the proposed building to be 12.2 m (40.0 ft) and their application has been amended to reflect this modification and this report has been prepared reflecting the requested relief of 12.2 m.

210 George Street E was created through consent application B50-18 which was granted provisional approval in July 2018, and was completed in September 2020. The property contains slope valley and floodplain associated with the 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 for the severance application. 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)	12.2 m (40.0 ft)	3.2 m (10.5 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:
<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 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 being located at the front of the dwelling along George Street. The height at the front of the dwelling is proposed to be 12.2 m, whereas the back of the building is proposed to be 8.61 m. • Due to the topography of the lot not all sides of the dwelling exceed the maximum height of the R1 Zone contributing to decreasing the visual impact on the surrounding residential uses. • The overall size of the building is still restricted as the additional height is the result of the lots grade change and due to the definition of how height is measured within the Zoning By-law. • 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.
<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 12.2 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 lowest grade it results in the tallest height measurement for the building. • 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. • The proposed dwelling meets all other requirements of the R1 Zone for a detached dwelling including setbacks, lot coverage etc. • Section 4.25 of the By-law requires minimum setbacks from the

	<p>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.</p> <ul style="list-style-type: none"> • 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 mapping delineation of the flood plain from the Official Plan mapping on the subject lands (Schedule 3). • With this reinterpretation the proposed dwelling is located outside of the flood plain and the EP Zone. • GRCA comments received indicate no objection to the minor variance application, a reduced setback from the EP Zone, 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. • As part of consent application B50-18 GRCA provided comments that the proposed development would not cause slope instability. • The proposed dwelling is located outside of the floodplain delineated in the Official Plan. • GRCA comments indicate no objection to the minor variance application, including 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 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 and south. The properties to the east and west are currently vacant, with proposed residential development through related minor variance applications A08-22, 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. Not all sides of the dwelling exceed the maximum height in the R1 Zone which contributes to decreasing the visual impact of the proposed dwelling. The size of the

	<p>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.</p> <ul style="list-style-type: none"> • 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 floodplain 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.
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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.PL., Planner

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

Drawings are valid for permits only. They are not to be used for construction without the approval of the local authority in the jurisdiction. Do not make changes.

Design Loads/Conditions
 Wind Load - as P.S.F.
 Dead Load - 15 P.S.F.
 Road Load - 150 P.S.F.
 Live Load - 15 P.S.F. (unloaded)
 Live Load - 45 P.S.F. (loaded)
 Total Road Load - 60 P.S.F.

CLIENT NAME:
Crescent Homes

Rockwood Block 2
 120 George Street E,
 Guelph/Ermosa, ON

JDC
 JANSEN DESIGN

116063 2nd Line SW,
 Melancton, ON, L1W 2C5
 Phone #: 519.825.0863
 Fax #: 519.825.0717
 Email: rjansen@jansendesign.ca

BCIN QUALIFIED
 REGISTERED PROFESSIONAL ENGINEER
 IN THE PROVINCE OF ONTARIO

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

The undersigned has reviewed the drawings and specifications and notes the qualifications and notes the Building Code is to be observed.

QUALIFICATION INFORMATION
 Paul Jansen BCIN 25591

REGISTRATION INFORMATION
 Firm Name: Jansen Design & Construction (Div. of JDC Custom Homes Inc.)
 BCIN 20079

DRAWING TITLE:
Rear Elevation

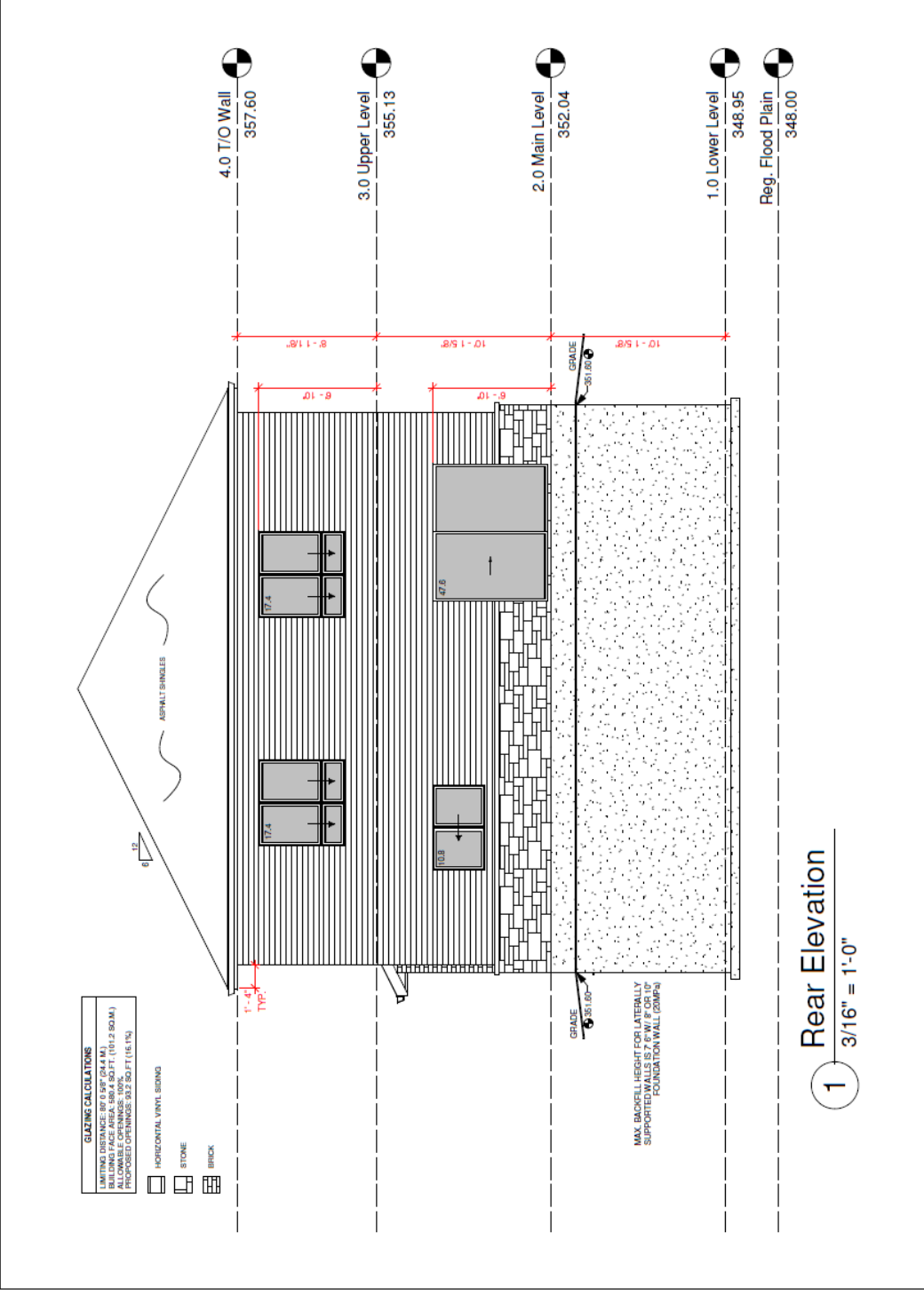
DATE:	REVISIONS:
JUNE 21, 2021	

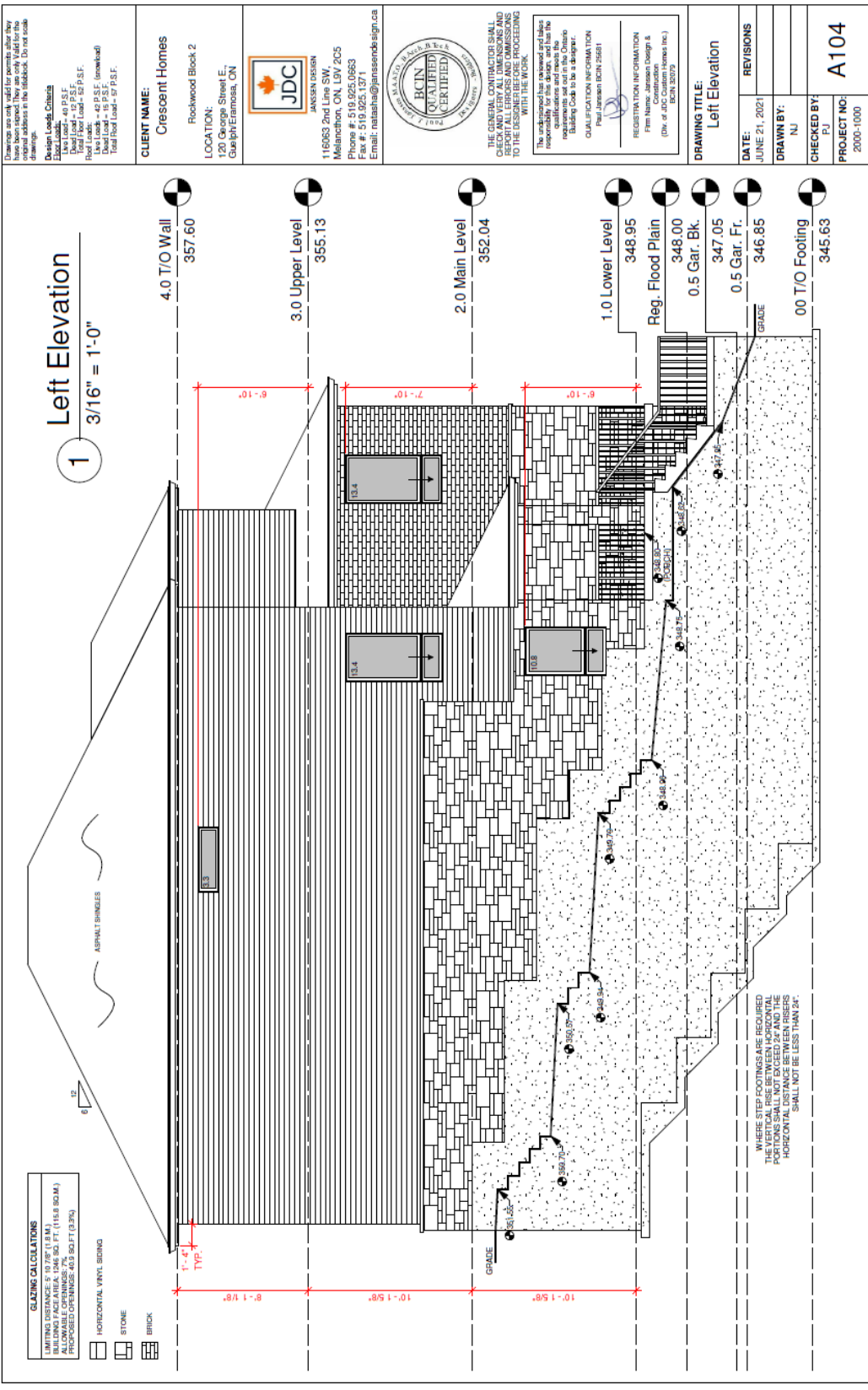
DRAWN BY:
NJ

CHECKED BY:
PJ

PROJECT NO.:
2000-1000

A102





Design Loads Criteria
 Live Load - 40 P.S.F.
 Total Floor Load - 127 P.S.F.
 Floor Loads - 40 P.S.F. (overhead)
 Dead Load - 15 P.S.F.
 Total Roof Load - 57 P.S.F.

CLIENT NAME:
 Crescent Homes
 Rockwood Block 2
 120 George Street E.,
 Guelph Eramosa, ON

JDC
 JAMES J. DANIELSON
 116063 2nd Line SW
 Melancton, ON, L0W 2G5
 Phone #: 519 925 0663
 Fax #: 519 925 1371
 Email: nataaha@jansendeesign.ca



THE GENERAL CONTRACTOR SHALL
 CHECK AND VERIFY ALL DIMENSIONS AND
 REPORT ALL ERRORS AND OMISSIONS AND
 TO THE ENGINEER'S PROCEEDINGS
 WITH THE WORK.

The undersigned has reviewed and takes
 responsibility for this drawing, and has the
 requirements set out in the Ontario
 Building Code to be a designer.
QUALIFICATION INFORMATION:
 Paul Jameson BCIN 20811
REGISTRATION INFORMATION:
 Firm Name: Janssen Design &
 Construction
 (Div. of Janssen Design &
 BCIN 80709)

DRAWING TITLE:
 Left Elevation

DATE:	REVISIONS:
JUNE 21, 2021	
DRAWN BY: NJ	
CHECKED BY: TJ	
PROJECT NO.: 2000-1000	

A104

GLAZING CALCULATIONS
 LIMITING DISTANCE: 5' 0" (1.524 M)
 ALLOWABLE OPENING: 7% (1.653 M)
 PROPOSED OPENING: 453.90 FT (138.08 M)

HORIZONTAL VINYL SIDING
 STONE
 BRICK

WHERE STEP FOOTINGS ARE REQUIRED
 THE VERTICAL RISE BETWEEN HORIZONTAL
 PORTIONS SHALL NOT EXCEED 2X AND THE
 HORIZONTAL DISTANCE BETWEEN PORTIONS
 SHALL NOT BE LESS THAN 2X.

Drawings are only valid for permits after they have been reviewed and approved by the original address in the feedback. Do not scale drawings.

Design Loads Criteria
 Live Load - 40 P.S.F.
 Total Floor Load - 127 P.S.F.
 Roof Load - 40 P.S.F. (snowload)
 Dead Load - 15 P.S.F.
 Total Roof Load - 57 P.S.F.

CLIENT NAME:
 Crescent Homes
 Rockwood Block 2
 120 George Street E.,
 Oshawa, Ontario, ON

JDC
 ARCHITECTURE
 116063 Rockwood Block 2
 Crescent Homes Inc.
 Mississauga, ON, L4Y 2C5
 Phone #: 510.025.0683
 Fax #: 510.025.1371
 Email: malaha@jansendesign.ca



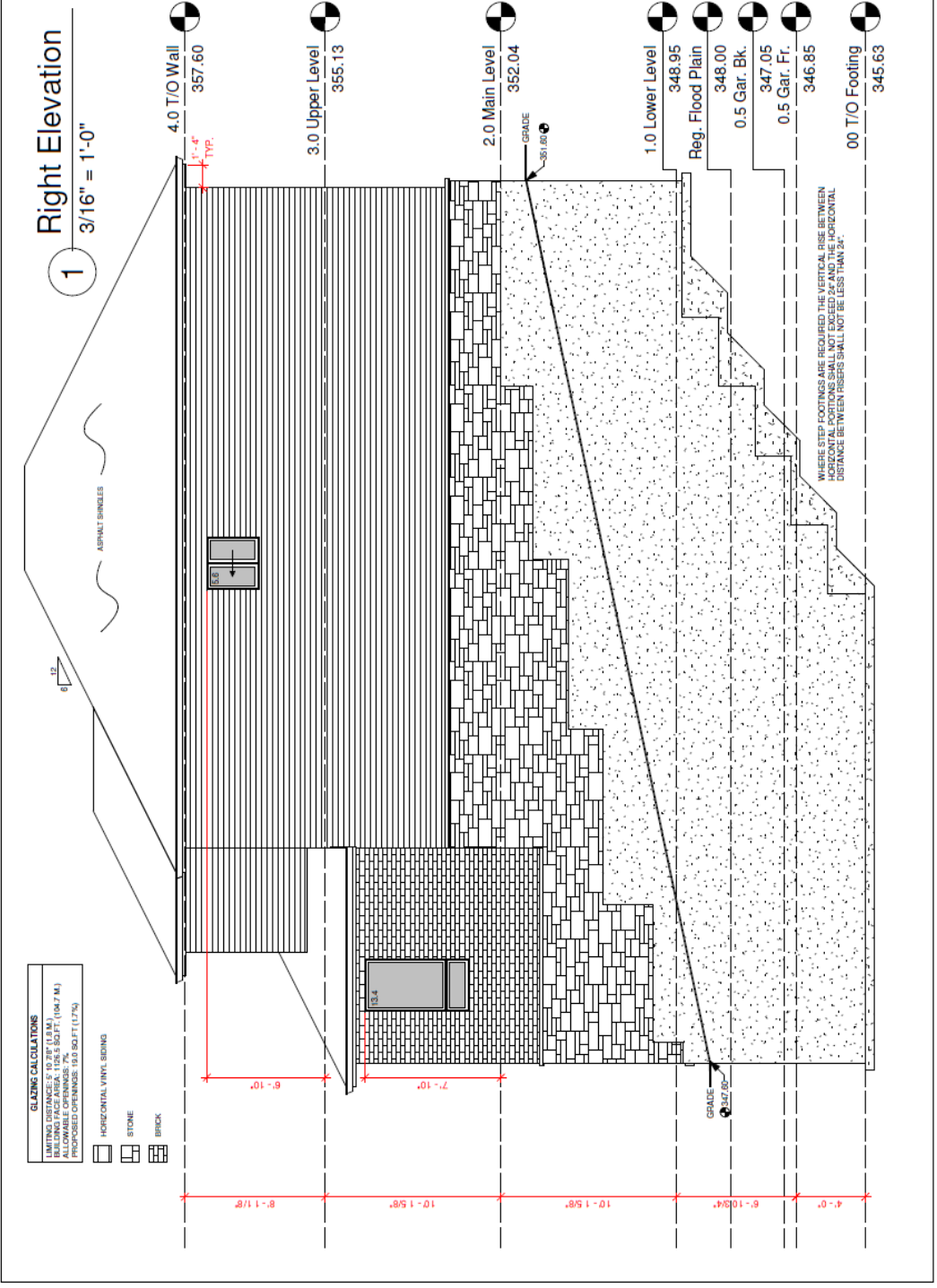
THE GENERAL CONTRACTOR SHALL REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER BEFORE PROCEEDING.

This is a design of a building and the designer is not responsible for the design and the construction and shall not be held responsible for the design and the construction.

QUALIFICATION INFORMATION
 Paul Janssen (BCIN 25681)
 REGISTRATION INFORMATION
 From the National
 Construction
 (Div. of JDC Custom Homes Inc.)
 BCIN 25681

DRAWING TITLE:
 Right Elevation

REVISIONS	
DATE:	JUNE 21, 2021
DRAWN BY:	NJ
CHECKED BY:	FJ
PROJECT NO.:	2000-1000
	A103



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

