

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, September 13, 2021
Subject	<b>Decision Report 29-31 Fountain Street Zoning Bylaw Amendment File: OZS21-005 Ward 5</b>

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## Recommendation

1. That the application submitted by Van Harten Surveying Inc. on behalf of 2782552 Ontario Ltd. c/o Thomas MacKillop to amend the Zoning By-law from the current "Residential Single Detached" (R.1B) Zone to the "Residential Semi-Detached/Duplex" (R.2) Zone to recognize the existing semi-detached dwelling on lands municipally known as 29-31 Fountain Street, and legally described as All of Lot 175 and Part of Lot 174, Registered Plan 8, City of Guelph, be approved in accordance with Attachment-6 of the Infrastructure, Development and Enterprise Report 2021-256, dated September 13, 2021.
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## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to recognize the existing semi-detached dwelling.

### Key Findings

Planning staff support the proposed Zoning By-law amendment subject to the recommended zoning regulations and conditions in Attachment-3.

### Financial Implications

No new development is proposed. The existing annual tax levy is not anticipated to be impacted by this Zoning By-law amendment application.

Development Charges do not apply since no development is proposed through this application.

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## Report

### Background

An application was received from Van Harten Surveying Inc. on behalf of 2782552 Ontario Ltd. c/o Thomas MacKillop to amend the Zoning By-law for the lands

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municipally known as 29-31 Fountain Street West. The application was received by the City on April 19, 2021 and deemed to be complete on May 18, 2021.

The application proposed to recognize the existing semi-detached dwelling and permit a future consent application to divide the property into two lots. Site-specific zoning regulations were requested, but have been determined to no longer be required since the Accessory Residential Dwelling Unit regulations were adopted.

### **Location**

The subject lands are located along the north side of Fountain Street West, east of Dublin Street South and Fountain Street West intersection. The lands front onto Fountain Street West and are approximately 581 square metres in size with 18 metres of frontage and a depth of 32.3 metres.

The property is currently occupied by a semi-detached dwelling containing a total of two dwelling units, each with their own address.

Surrounding land uses include:

- To the north: single and semi-detached dwellings with frontage on Fountain Street West and downtown commercial uses with frontage on Gordon Street;
- To the south: single and semi-detached dwellings with frontage on Fountain Street W;
- To the east: Fountain Street West, beyond which are lands zoned for a specialized downtown mixed use and developed with a medical office building; and,
- To the west: single and semi-detached dwellings with Nottingham Street beyond.

### **Existing Official Plan Land Use Designation and Policies**

The Official Plan land use designation that applies to the subject lands is "Residential 1" in the Downtown Secondary Plan. This designation applies to residential areas within the Downtown Secondary Plan which are predominantly low-density in character. "Residential 1" applies General Residential policies within the Official Plan. The predominant land use in this designation is residential and includes single and semi-detached dwellings. The relevant Official Plan policies for the applicable land use designation are included in Attachment-4.

### **Existing Zoning**

The subject lands are currently zoned "Residential Single Detached" (R.1B) Zone according to Zoning By-law (1995)-14864, as amended. The existing zoning is shown in Attachment-4. The existing zoning is shown in Attachment-5.

### **Proposed Zoning By-law Amendment**

The purpose of the Zoning By-law amendment is to change the zoning from the "Residential Single Detached" (R.1B) Zone to the "Residential Semi-Detached/Duplex" (R.2) Zone to recognize the existing semi-detached dwelling.

Development is proposed in accordance with the standard R.2 Zone and no site-specific zoning regulations are recommended.

The details of the proposed zoning regulations and conditions are shown in Attachment-3, with a map of the proposed zoning shown in Attachment-6.

## **Proposed Development**

The site is existing with a semi-detached building comprised of two dwelling units. Only interior changes are proposed to add one accessory residential dwelling unit to each side of the semi-detached building for a total of two accessory residential dwelling units and four total dwelling units. The accessory dwelling units require Building Permits and unit registration. No changes to the driveway or parking are proposed.

Future consent applications to the Committee of Adjustment will be required to sever the subject lands into separate parcels. The conceptual site plan is included in Attachment-7.

## **Staff Review and Planning Analysis**

The staff review and planning analysis for this application is provided in Attachment-9. The analysis addresses all related planning considerations, including issues that were raised by Council at the statutory Public Meeting held on June 14, 2021. Final comments on the revised proposal from internal City departments and agencies are included in Attachment-10. The staff review and planning analysis addresses the following:

- Evaluation of the proposal in accordance with the policies of the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the Official Plan land use designations and policies;
- Review of the proposed zoning;
- Consideration of the applicable sections of the Community Energy Initiative (CEI) Update; and
- Address all comments and issues raised during the public review of the applications.

## **Staff Recommendation**

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan. Planning Staff recommend that Council approve the Zoning By-law Amendment subject to the zoning regulations and conditions to be imposed through consent applications as outlined in Attachment-3.

## **Financial Implications**

No new development is proposed. The existing annual tax levy is not anticipated to be impacted by this Zoning By-law amendment application.

Development Charges do not apply since no development is proposed through this application.

## **Consultations**

The combined Notice of Complete Application and Notice of Public Meeting was mailed on May 20, 2021 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Public Meeting was

also advertised in the Guelph Mercury Tribune on May 20, 2021. Notice of the application has also been provided by signage on the property and all supporting documents submitted with the application have been posted on the City's website. The statutory Public Meeting was held on June 14, 2021.

On August 20, 2021, the Notice of Decision Meeting was sent to members of the public and parties that provided comments on the applications or requested to receive further notice. See Attachment-11 for a full consultation summary.

## **Strategic Plan Alignment**

### **Priority**

Sustaining our Future

### **Direction**

Plan and Design an increasingly sustainable city as Guelph grows

### **Alignment**

The proposed development application shall be in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposed development applications are in conformity with the City's Official Plan will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

### **Attachments**

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning Regulation and Conditions

Attachment-4 Official Plan Land Use Designations and Policies

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning

Attachment-7 Conceptual Site Plan

Attachment-8 Existing Building Photos

Attachment-9 Staff Review and Planning Analysis

Attachment-10 Departmental and Agency Comment Summary

Attachment-11 Public Notification Summary

### **Departmental Approval**

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

### **Report Author**

Ryan Mallory, MCIP, RPP, Planner 2 – Development and Urban Design

**This report was approved by:**

Krista Walkey, MCIP, RPP  
General Manager, Planning and Building Services  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 2395  
Krista.walkey@guelph.ca

**This report was recommended by:**

Jayne Holmes, P.Eng, PMP  
Deputy Chief Administrative Officer  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 2248  
jayne.holmes@guelph.ca