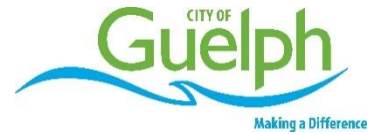


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-16/20 and A-59/20
Location: 262 and 264 Grange Road
Hearing Date: December 10, 2020
Owner: Marcel and Amanda Parent
Agent: Jeff Buisman, Van Harten Surveying Inc.
Official Plan Designation: Low Density Residential
Zoning: Urban Reserve (262 Grange Road) and
Residential Single Detached (R.1B) (264 Grange Road)

File B-16/20: Consent

Request: The applicant proposes to sever a parcel of land at the rear and right side of 262 Grange Road with an area of 758 square metres as a lot addition to the rear and left side of the abutting property known as 264 Grange Road. The retained parcel will have frontage along Grange Road of 31.4 metres and an area of 678 square metres.

File A-59/20: Minor Variance (lot being enlarged)

Request: The applicant is seeking relief from the By-Law requirements to permit the proposed driveway to have a maximum width of 9.5 metres.

By-Law Requirements: The By-Law requires a driveway (residential) in an R.1B Zone shall have a maximum width of 6.5 metres.

Staff Recommendation

Approval with Conditions

Recommended Conditions

File B-16/20: Consent

Engineering Services

1. Prior to the issuance of the Certificate of Official, the Owner(s) agrees to obtain an entrance permit from the City for the new proposed driveway on the retained land.
2. Prior to the issuance of the Certificate of Official, the Owner(s) pays the actual cost of the construction to close the existing driveway entrance, including the

required curb fill or any restoration work that may be required within the City's Right of Way.

Committee of Adjustment Administration

3. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
4. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
5. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).
6. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
7. That the Owner shall consolidate the severed parcel with the abutting lands to which the severed parcel is to be added as a single parcel ("the consolidation") and that the Owner's solicitor shall provide a firm undertaking in writing to the Secretary-Treasurer of the Committee of Adjustment for the City of Guelph that the solicitor will attend to the consolidation and will provide within 30 days of the date of registration in the Land Registry Office for Wellington (No. 61), or prior to the issuance of a building permit [if applicable], whichever occurs first, a copy of the registered electronic Transfer document including the Certificate of Official and the registered application Consolidation Parcels document.
8. That the Transferee take title of the severed lands in the same manner and capacity as he or she holds his or her abutting lands; and that Section 50(3) or Section 50(5) of the Planning Act, R.S.O. 1990, as amended, shall apply to any subsequent conveyance or any transaction involving the parcel of land that is subject of this consent.

File A-59/20: Minor Variance (lot being enlarged)

Planning Services

1. That a 9.5 metre wide driveway only be permitted for a portion of the driveway in general accordance with the Public Notice sketch.
2. That the portion of the existing asphalt driveway in excess of 9.5 metres (currently located on 262 Grange Road) be removed and restored with landscaping prior to the issuance of the Certificate of Official for Consent application B-16/20.

Comments

Planning Services

File B-16/20: Consent

The subject lands are designated "Low Density Residential" in the Official Plan.

The applicant is proposing to sever the rear and right portion of the subject property as a lot addition to 264 Grange Road. The applicant is proposing to maintain the existing detached dwellings on the enlarged parcel (264 Grange Road) and the retained parcel (262 Grange Road), and maintain the existing detached garage as part of the enlarged parcel. Due to the lot reconfiguration, a minor variance application has been submitted (file A-59/20, see attached) as the driveway of the enlarged parcel (264 Grange Road) is proposed to be widened in order to access the detached garage at the rear of the enlarged property.

262 Grange Road is currently zoned "Urban Reserve" and 264 Grange Road is currently zoned "Residential Single Detached" (R.1B), according to Zoning By-law (1995)-14864, as amended.

Policy 10.10.1 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject application:

i. That all of the criteria for plans of subdivision are given due consideration.

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

ii. That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.

A plan of subdivision is not necessary for the lot addition.

iii. That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.

The proposed lot addition represents orderly development of the land. The reconfiguration of the parcel will provide additional rear yard space for 264 Grange Road.

iv. That the application can be supported if it is reasonable and in the best interest of the community.

The proposed severance is considered to be appropriate and is supportable.

Staff are satisfied that the proposal meets the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Ontario Planning Act. Staff recommend approval of the application.

For the applicant's information, existing City trees along Grange Road are noted, and consistent with the Official Plan, trees and shrubs that are within the City's right-of-way need to be appropriately considered and protected during any type of construction/works within the dripline. Protection of City trees must be optimized as injury or destroying a City tree may not be granted by the City. Any proposal to injure or destroy a City tree must be accompanied by a Tree Inventory and Preservation Plan, (refer to the City's Tree Technical Manual for more information), to the satisfaction of the Manager of Parks Operations and Forestry.

File A-59/20: Minor Variance (lot being enlarged)

The subject property is designated "Low Density Residential" in the Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single and semi-detached residential dwellings and associated accessory structures. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B), according to Zoning By-law (1995)-14864, as amended. Due to the lot reconfiguration made through Consent application B-16/20, the applicant is proposing a maximum driveway width of 9.5 metres to access the existing detached garage at the rear of the property. Section 4.13.7.2.1 (ii) of the Zoning By-law permits a maximum driveway width in the R.1B zone of 6.5 metres.

The dwelling at 264 Grange Road was built in 2006 and at the time, the Zoning By-law allowed a driveway width to be a maximum of 40 percent of the front yard, to a maximum width of 7.5 metres. The Zoning By-law has since been amended and now a maximum driveway width of 6.5 metres is permitted in the R.1B zone. The general intent and purpose of driveway width regulations is to maintain residential streetscape character with hard and soft landscaping in the front yard, to ensure that driveways are an appropriate width in relation to the lot frontage and not excessively widened, to ensure that appropriate drainage and swales are provided, and that front yards are not dominated by parking.

The existing driveway at the curb has a width of 6.4 metres and the applicant is proposing that it flare out to 9.5 metres at the garage corner to allow vehicular access to the detached garage in the rear yard. Through the lot addition, 264 Grange Road will have a lot frontage of 40 metres, which exceeds the minimum lot frontage requirement of 15 metres for R.1B zones in the Zoning By-law. Given that there is 40 metres of frontage and the 9.5 metres will only apply to a small portion of the driveway, sufficient soft landscaping in the front yard can be maintained and the streetscape will not be dominated by driveway and parked vehicles. The requested variance is considered to meet the general intent and purpose of the Zoning By-law, is considered to be desirable for the appropriate development of the land and is considered to be minor in nature.

The requested variance is considered to meet the general intent and purpose of the Official Plan and Zoning By-law, is considered to be desirable for the appropriate development of the land and is considered to be minor in nature. Planning staff recommend approval of the application subject to the above noted conditions.

Engineering Services

File B-16/20: Consent

The applicant proposes to sever a parcel of land at the rear and right side of 262 Grange Road with an area of 758 square metres as a lot addition to the rear and left side of the abutting property known as 264 Grange Road. The retained parcel will have frontage along Grange Road of 31.4 metres and an area of 678 square metres.

Engineering has no concerns with severance application subject to the above noted conditions being imposed.

File A-59/20: Minor Variance (lot being enlarged)

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit the proposed driveway to have a maximum width of 9.5 metres.

We agree with recommendations made by the Planning and Building staff.

Building Services

The applicant proposes to sever a parcel of land at the rear and right side of 262 Grange Road with an area of 758 square metres as a lot addition to the rear and left side of the abutting property known as 264 Grange Road.

The applicant is also proposing to maintain the existing detached dwelling and sever the rear and right portion of the abutting property at 262 Grange Road, including the existing detached garage, as a lot addition to the subject property (File B-16/20). Due to the lot reconfiguration, the applicant is proposing a maximum driveway width of 9.5 metres to access the existing detached garage at the rear of the subject property.

Building Services does not object to either of these applications and supports the conditions recommended by Planning Services.

Bell Canada

File B-16/20: Consent

Bell Canada has no concerns with Application for Consent B-16/20 regarding 262 Grange Street.

Comments from the Public

None

Contact Information

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