



SHAPING GREAT COMMUNITIES

June 9, 2020

File No: 16231

Ms. Trista Di Lullo  
Secretary-Treasurer, Committee of Adjustment  
Council and Committee Coordinator  
City Clerk's Department, Corporate Services  
Guelph City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

Attn: Ms. Trista Di Lullo  
Secretary-Treasurer of the Committee of Adjustment

Dear Ms. Di Lullo

**Re: Consent and Minor Variance Applications  
25-27 Green Street, Guelph**

GSP Group is the planning consultant to the Owner of the property municipally known as 25-27 Green Street and legally known as Part of Lot 837 Registered Plan 8 in the City of Guelph, (herein referred to as the "Site"). Please find enclosed one Consent Application and two Minor Variance Applications for the Site.

The Site is located just west of the Downtown and southeast of Exhibition Park. The Site is 605 m<sup>2</sup> (0.06 ha) in size and is currently occupied with a legal non-conforming semi-detached dwelling fronting Green Street. The Site has 19.2 metres of frontage on both Green Street and Norwich Street.

**Proposed Consent Application**

The enclosed Consent Application proposes to sever the property into two parcels, a severed parcel 280 m<sup>2</sup> in size (the "Severed Parcel") and a retained parcel 325 m<sup>2</sup> in size (the "Retained Parcel"). A Minor Variance Application for each of the severed and retained parcels is required to facilitate the consent.

The existing semi-detached dwelling is proposed to be converted to a single detached dwelling at a later date. These changes would include interior changes only. A single detached dwelling and detached garage is proposed to be constructed on the Severed Parcel.

**Proposed Minor Variances**

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The Site is designated Low Density Residential in the City of Guelph Official Plan (the “OP”). Single detached dwellings are a permitted use in this designation. The Site is zoned Residential Single Detached Dwellings (R.1B) Zone in the City of Guelph Zoning By-law (1995) – 14864. Single detached dwellings are a permitted use in the R.1B Zone.

There is a need for three (3) variances as it relates to the **Severed Parcel**. The required variance is as follows:

1. To permit a minimum lot area of 280 m<sup>2</sup> whereas Table 5.1.2.3 of Zoning By-law (1995) – 14864 requires a minimum lot area of 460 m<sup>2</sup> (refer to Label “A” on the attached Severance Sketch).
2. To permit a minimum front yard setback of 0.3 metres whereas Table 5.1.2, Row 6, 5.1.2.7 of Zoning By-law (1995) – 14864 requires a minimum front yard setback of 1.4 metres (refer to Label “E” on the attached Severance Sketch).
3. To permit a minimum setback from the covered porch to the lot line of 0.3 metres whereas Table 4.7, Row 3 of Zoning By-law (1995) – 14864 requires a minimum setback from the covered porch to the lot line of 2.0 metres (refer to Label “D” on the attached Severance Sketch).

There is a need for two (2) variances as it relates to the **Retained Parcel**. The required variances are as follows:

1. To permit a minimum lot area of 325 m<sup>2</sup> whereas Table 5.1.2.3 of Zoning By-law (1995) – 14864 requires a minimum lot area of 460 m<sup>2</sup>. (Refer to Label “B” on the attached Severance Sketch).
2. To permit a minimum setback from the covered porch to the lot line of 0.05 metres whereas Table 4.7.3 of Zoning By-law (1995) – 14864 requires a minimum setback from the covered porch to the lot line of 2.0 metres. (Refer to Label “C” on the attached Severance Sketch).

### **Tests of Minor Variance**

Under Section 45 (1) of the Planning Act, there are four tests that a Minor Variance must meet. They are outlined below with justification as to how each test is met:

1. *Do the Minor Variances maintain the general intent of the Official Plan?*

The Site is within the Built-Up Area and is designated Low Density Residential in the Official Plan which permits low rise forms of residential development. The following Policies are applicable to the above noted variances:

- 3.7.3 *Within the built-up area the following general intensification policies shall apply:*
  - i. *by 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's built-up area as identified on Schedule 1. Provisions may be made for the fulfillment of this target sooner than 2015.*
  - iii. *vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings.*
  - iv. *the City will plan and provide a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.*
  - v. *a range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of accessory apartments throughout the built-up area.*

It is our opinion that the variances conform to the above noted policies for lands within the Built-Up Area. The Site is underutilized as the back of the lot is unused (currently gravel) and can be better utilized for infill development which is promoted as per the above OP policy (3.7.3 iii). The proposed single detached dwelling will provide for additional housing choice in the immediate neighbourhood and the Built-Up area.

The following objectives contained in the Residential Designations Section of the OP (Section 9.3) are applicable to the proposed variances:

- b) *To facilitate the development of a full range of housing types, affordability, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents, throughout the city.*
- e) *To ensure compatibility between various housing forms and between residential and non-residential uses.*
- f) *To maintain the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification.*

- *g) To direct new residential development to areas where municipal services and infrastructure are available or can be provided in an efficient and cost effective manner.*
- *i) To ensure new development is compatible with the surrounding land uses and the general character of neighbourhoods.*

It is our opinion that the proposed variances meet the above noted residential objectives. The variances will provide permissions for smaller lots and will provide for a new single detached dwelling. This is compatible with the surrounding neighbourhood which consists of primarily single detached dwellings. Full municipal services are available to service the new dwelling which represents efficient and cost effective development. The single detached dwelling will be designed to be compatible with the surrounding neighbourhood and context sensitive through the selection of appropriate building materials and colours. Further, a detached garage is proposed which is in keeping with the character of the area.

The Low Density Residential designation permits: detached, semi-detached and duplex dwellings; and multiple unit residential buildings, such as townhouses and apartments. The following height and density policies contained in Section 9.3.2 apply to the Site:

- *2. The maximum height shall be three (3) storeys.*
- *3. The maximum net density is 35 units per hectare and not less than a minimum density of 15 units per hectare*

The proposed density is 33.3 units per hectare which is in keeping with the density permissions for the Site (maximum of 35 units per hectare).

It is our opinion that the proposed variances meet the intent of the Official Plan given that the proposed use is in keeping with the permitted uses of the Low Density Residential designation. The proposed density and height (maximum of 2 storeys) will be in keeping with the permissions of the OP.

*2. Do the Minor Variances maintain the general intent of the Zoning By-law?*

The proposed variances maintain the general intent of the Zoning By-law as single detached dwellings are permitted and for the following details as outlined below.

### **Variance # 1 for Severed Parcel**

The reduced lot area for the Severed Parcel maintains the general intent of the Zoning By-law as the side yard and rear yard setbacks are met and the proposed single detached dwelling is permitted. The intent of a minimum lot area is to ensure there is enough land area for a permitted use, landscaped area, and setbacks. As is depicted on the Severance Sketch, there is sufficient area for a single detached dwelling, a detached garage, a driveway and a rear yard/outdoor courtyard area while meeting the side yard and rear yard setbacks. The size of the backyard would be of a typical size to others in the immediate area. The front yard setback would also be typical of other lots in the area.

### **Variance # 2 for Severed Parcel**

It is our opinion that the request to permit a front yard setback of 0.3 metres maintains the intent of the Zoning By-law as there is sufficient space between the dwelling and the street (greater than 5.0 metres). The proposed setback is in keeping with other houses on the street and it is our opinion that the proposed setback will realize a consistent streetscape.

### **Variance # 3 for Severed Parcel**

It is our opinion that the request to permit a covered porch setback of 0.3 metres maintains the intent of the By-law as the dwelling/covered porch is setback quite a distance (greater than 5.0 metres) from the street and will not create any visibility issues.

### **Variance # 1 for Retained Parcel**

The reduced lot area for the Retained Parcel also maintains the general intent of the Zoning By-law as it provides sufficient area for the existing dwelling to remain in its current state with no changes required. The existing dwelling does not use the back portion of the existing lot. It is currently gravel and sits unused. It is our opinion that the existing dwelling will continue to function as it has for many years and that the new lot line/reduced lot area will not have any impact on the existing dwelling and associated parking.

### **Variance # 2 for Retained Parcel**

The request to permit a minimum setback of 0.05 metres to the existing covered porch in our opinion maintains the intent of the Zoning By-law. The intent of this regulation is

that there would be sufficient separation between the porch and the street. There is approximately 4 metres of grassed area between the lot line and the street. While the porch is only 0.05 metres away from the lot line, there is still sufficient separation between the covered porch and the street.

*3. Are the Minor Variances desirable for the lands?*

In our opinion, the proposed variances are desirable for the lands and are minor in nature. There is currently a break in the Norwich Street – streetscape as the back of the Site is vacant. The fact that there is no dwelling facing Norwich Street is an interruption in the otherwise consistent streetscape. The proposed setback of 0.3 metres is generally in keeping with the setbacks on adjacent lots. The reduced lot areas would permit the development of a single detached dwelling on the Severed Parcel which would positively contribute to the streetscape on Norwich Street. While building elevations have not been prepared at this point, it is the Owners intent that the proposed dwelling would be sensitive to the character of the area and would incorporate materials and colours that would reflect the adjacent neighbourhood. The garage is proposed to be detached which is less prominent on the streetscape and is similar to other properties in the area. The length of the garage is proposed so as to be able to accommodate garbage bins and outdoor equipment. It is our opinion that a reduction in lot areas is desirable and will permit appropriate infill development on the Site. The variances would permit a single detached dwelling which is permitted by the Zoning By-law and is in keeping with the surrounding single detached dwellings.

It is our opinion that Variances 2 and 3 for the Severed Parcel are desirable as they will create a consistent, pedestrian friendly streetscape.

The request to legalize the existing covered porch setback is desirable in our opinion. The covered front porch was constructed in an effort to enhance the front façade. Historically, there was a covered porch and so the covered porch was constructed as recognition of the past. It is our opinion that the covered porch is desirable from a design perspective and was an upgrade from what previously existed.

The Proposed Development will not have any impact on the surrounding properties. The Site is adequately serviced and the new dwelling can be serviced through existing municipal infrastructure and vehicular traffic and parking can be accommodated on the respective parcels.

*4. Is the application minor?*

The requested variances are minor in nature. The reduced lot areas will not create any negative impacts on the surrounding properties and will realize an efficient and logical use of an underutilized Site. The variances are minor as the existing dwelling can continue to function as it has been for many years and a new dwelling can be constructed while providing the required side yard and rear yard setbacks, parking and landscaped area. It is our opinion that the variances to reduce the required setbacks from 1.4 metres to 0.3 metres/2.0 metres to 0.3 metres are minor and no negative impacts will be realized as a result of the reduced front yard setbacks. It is the intent that the architectural design and massing of the new dwelling will be considerate of the surrounding neighbourhood and allows for the most efficient use of the Site.

In support of the Consent and Minor Variance Applications, please find enclosed the following:

- Consent Application Form;
- Two Minor Variance Application Forms;
- A Severance Sketch.

If you have any questions or require additional information, please do not hesitate to contact myself or Sarah Code.

Yours truly,  
**GSP Group**

A handwritten signature in blue ink, reading "Hugh Handy".

Hugh Handy, MCIP, RPP  
Senior Associate