

## **50-52 DEAN AVENUE**

## **PLANNING REPORT**

### **PROJECT LOCATION:**

**50-52 Dean Avenue  
Part of Lots 72 & 73, Registered Plan 363  
Part 1, 61R-10060  
City of Guelph  
County of Wellington**

### **PREPARED BY:**

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**July 25, 2018**

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Attention: Ms. Lindsay Sulatycki

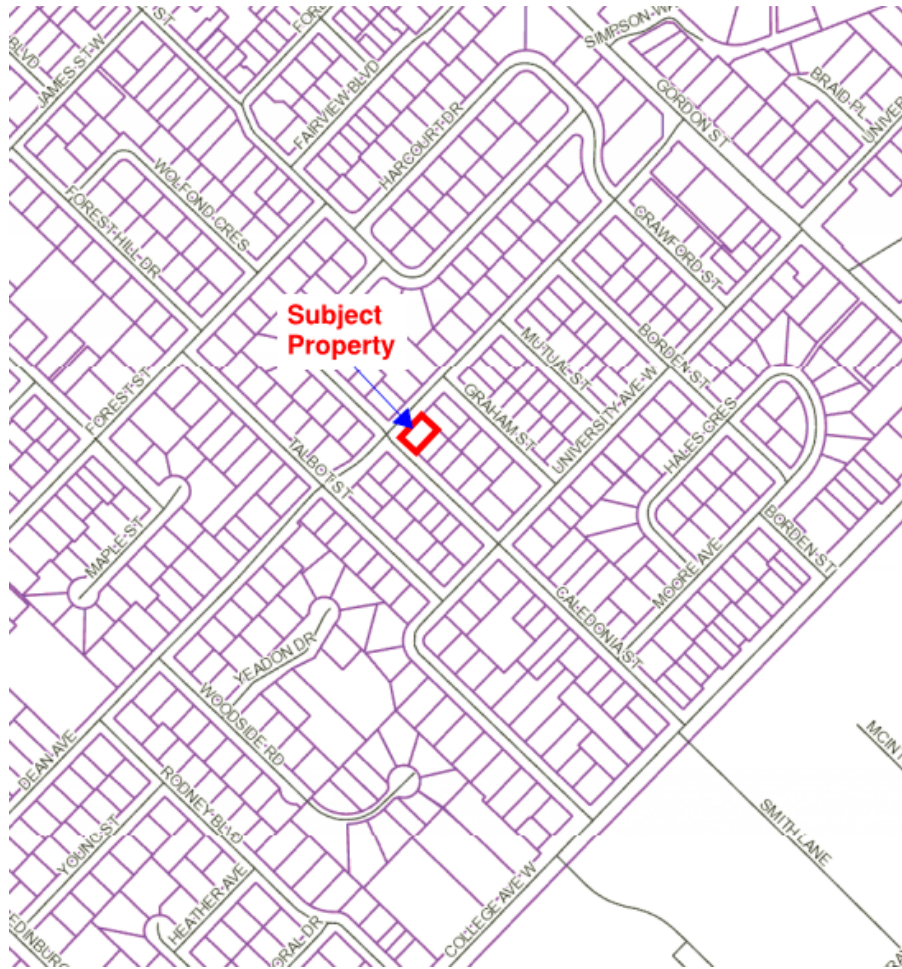
Dear Ms. Sulatycki,

**Re: Planning Report for Zoning By-law Amendment  
50-52 Dean Avenue  
Part of Lots 72 & 73, Registered Plan 363  
Part 1, 61R-10060  
PIN 71241-0331  
City of Guelph**

This report has been prepared in support of a Zoning By-law Amendment for a property at 50 & 52 Dean Avenue in the City of Guelph. The proposal for the Zoning By-law Amendment is to amend the zoning from Residential R.1B to Specialized Residential R.2 in order to recognize the existing legal non-conforming semi-detached dwelling, allow for a wider driveway to support the existing accessory apartment and to recognize existing zoning non-conformance specifics. The zone change application will be followed by a severance application to split the parcel for separate ownership for the dwelling units. A pre-consultation meeting was held on May 16, 2018 to identify the submission requirements to support the proposed Zoning By-law Amendment, one of which is this Justification Report.

#### **BACKGROUND:**

The subject lands are legally described as Part of Lots 72 & 73, Registered Plan 363, Part 1, 61R-10060. The property contains a semi-detached dwelling known as 50 & 52 Dean Avenue that has existed for close to 100 years. No. 50 contains an addition with an accessory apartment at the rear as well as a carport and shed. Figure 1 below shows the location of the property on the corner of Dean Avenue and Caledonia Street.



**Figure 1 – Subject Property**

The current owner purchased the property in February 2018, with the intention to rent out the three existing units as well as divide the ownership along the party wall. Extensive renovations (of the walls, flooring, wiring, plumbing etc.) are near completion and new tenants already live in no. 52. Tenants are expected in No. 50 shortly. Tenants will not be arranged for the accessory unit until the zone change and severance are completed.

## PROPOSAL:

The proposed Zoning By-law Amendment is to amend the current zoning designation from Residential (R.1B) Single Detached Zone to Specialized Residential (R.2) Semi-Detached/Duplex Zone to permit the existing semi-detached dwelling and accessory apartment. One specific request for the accessory apartment is to allow a driveway width of 6.0m instead of 3.0m in R.2 zones so that the parking requirements of the accessory apartment can be met.

There are a number of zoning non-conformances that currently exist on the property and it would seem appropriate and convenient to recognize these items in this application. These specific items include the following:

***Severed Parcel – 52 Dean Avenue:***

- A) To permit a minimum lot area to be 190m<sup>2</sup> vs 230m<sup>2</sup> as required in Table 5.2.2, Row 2
- B) To permit a minimum front yard to be 2.1m vs 6m as required in Table 5.2.2, Row 5 (existing condition).
- C) To permit a minimum exterior side yard to be 1.2m vs 6m as required in Table 5.2.2, Row 5a and Section 5.2.2.1 (existing condition).
- D) To permit a minimum setback from the front lot line of 0.1m for an open, roofed porch not exceeding 1 storey in height instead of a setback of 2m as required in Table 4.7, Row 3 (existing condition).
- E) To permit the maximum driveway width to be 4.5m vs 3.5m as required in Section 4.13.7.2.3 (existing condition).

***Retained Parcel – 50 Dean Avenue:***

- F) To permit a minimum front yard to be 2.1m vs 6m as required in Table 5.2.2, Row 5 (existing condition).
- G) To permit a minimum rear yard to be 3.4m vs 4.0m as required in Table 5.2.2, Row 7 (existing condition).
- H) To permit a minimum setback from the front lot line of 0.2m for an open, roofed porch not exceeding 1 storey in height instead of a setback of 2m as required in Table 4.7, Row 3 (existing condition).
- I) To permit the maximum driveway width to be 6.0m vs 3.5m as required in Section 4.13.7.2.3 (Driveway to be expanded)

No construction or site alterations are proposed other than expansion of the driveway to 6.0m wide to allow for side by side parking and thus meeting the parking requirements for a residential unit with an accessory unit.

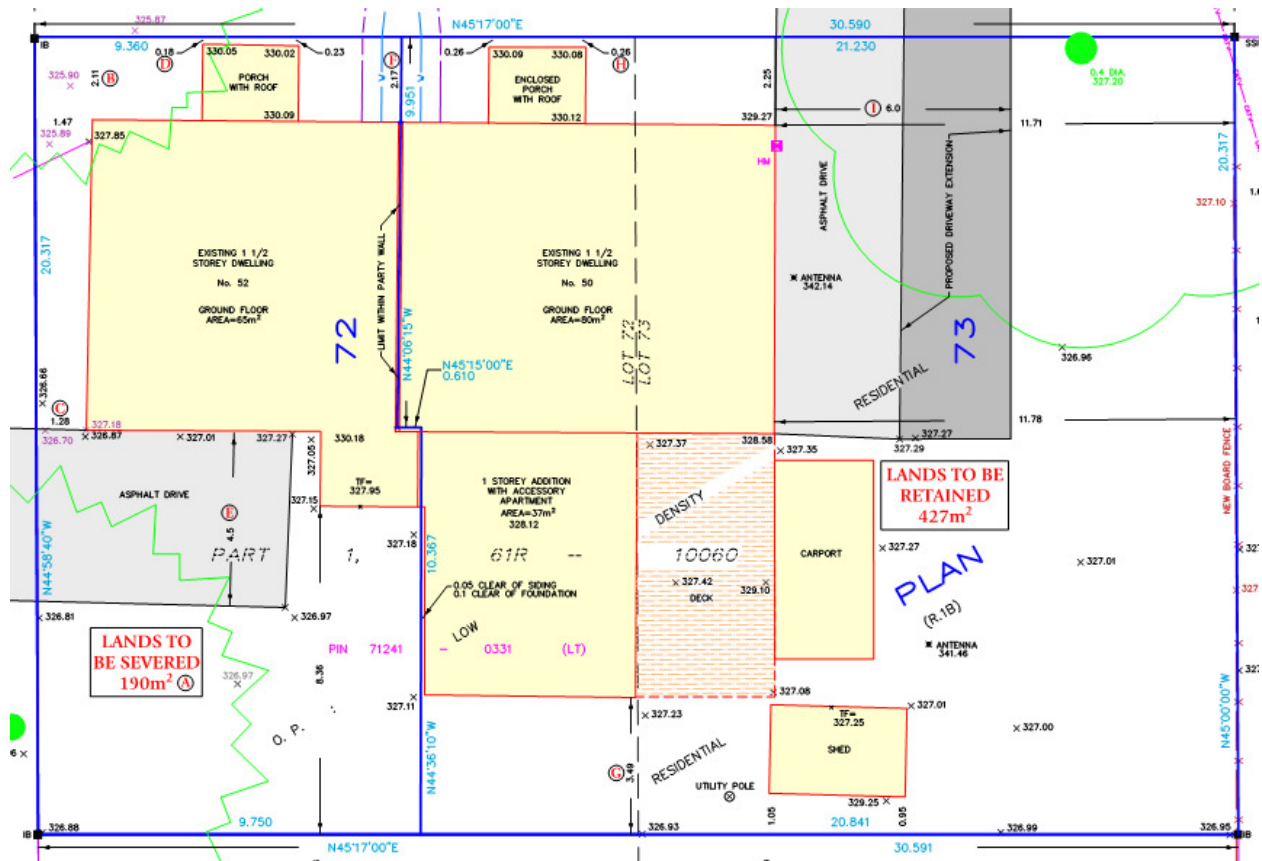


Figure 2 – Subject Property

## JUSTIFICATION:

The subject area is governed by provincial planning legislation including the Provincial Policy Statement (2014), the City of Guelph Official Plan and the City of Guelph Zoning By-law. The relevant policies of these planning documents are addressed below in relation to the proposed Zoning By-law Amendment.

### **Provincial Policy Statement (2014):**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to managing and directing land use to achieve efficient planning and development patterns. The Sections below encourage healthy, liveable and safe communities:



*1.1.1 b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

*1.1.1 e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

*1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

The proposed zoning by-law amendment is consistent with the policies of the PPS. The proposal recognizes cost-effective intensification that already exists. This proposal offers a great opportunity for intensification, ensuring the efficient use of land and resources that the PPS is encouraging municipalities to promote.

Section 1.4.1 of this document addresses the Province's housing needs and encourages municipalities to provide an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents. The two dwelling units and the accessory apartment at the rear of No. 50 will provide a variety housing type and density to the neighbourhood. This increased density and housing typology assists the City in meeting projected housing needs by providing an additional housing option.

The proposed zoning amendment for the existing semi-detached dwelling at 50-52 Dean Avenue follows the objectives of the sections listed above from the PPS. This proposal provides an alternative housing option to the neighbourhood while promoting cost-effective development as the buildings already exist and the proposal is to legally recognize the building and its existing use.

#### ***City of Guelph Official Plan:***

The City of Guelph Official Plan is a statement of goals, objectives and policies that seek to guide future land use activity and change. It establishes a framework to retain and improve the quality of life for residents of the City of Guelph. The following excerpts from the Official Plan below highlight the City's goals to promote and support the intensification of existing built up areas of the city in order to provide a mix of affordable housing options.

#### ***2.3.4 Major Goals of the Official Plan***

*Direct development to those areas where municipal services and related physical infrastructure are most readily available considering existing land uses, natural heritage features, development constraints, development costs and related factors.*

#### **2.3.6 Major Goals of the Official Plan**

*Ensure that any development in established areas of the City is done in a manner that is sympathetic and compatible with the built form of existing land uses.*

##### **2.4.5.1 Built-up Area and General Intensification**

*b) The City will promote and facilitate intensification throughout the built-up area, and in particular within the urban growth centre (Downtown), the community mixed use nodes and the intensification corridors as identified on Schedule 1B “Growth Plan Elements”.*

*e) A range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of secondary suites throughout the built-up area.*

*f) Intensification of areas will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.*

##### **3.3.1 Urban Form Policies**

*a) Encouraging intensification and redevelopment of existing urban areas in a manner that is compatible with existing built form;*

*b) Encouraging a gradual increase in the average residential density of the community;*

*d) Encouraging intensification of residential, commercial, industrial and institutional areas to maximize efficient use of municipal services.*

The existing semi-detached dwelling at 50-52 Dean Avenue will assist the City in meeting these goals by allowing for the efficient use of the existing dwelling, infrastructure and existing services, while encouraging the intensification of a residential area within the built area of Guelph.

#### **City of Guelph Official Plan Amendment 48 (OPA 48):**

The Official Plan Amendment is done to update, amend and add new policies to the Official Plan and to conform the Official Plan to various provincial plans policies.

*Section 2.4.2 Objectives is hereby amended as follows:*

*The City aims to build a compact, vibrant, and complete community for current and future generations that meets the following objectives:*

*b) To direct growth to locations within the built-up area where the capacity exists to best accommodate the expected population and employment growth.*

Section 9.3 titled “Residential Designations” is a new section added into the OPA 48 which lists the objectives and policies that apply to each of the residential designations. 50-52 Dean Avenue has the

designation of “Low Density Residential” and the proposed amendment adheres to the following objectives:

- 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.*
- 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.*
- j) To promote innovative housing types and forms in order to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups.*

The statements above show the City’s objective to promote development in the built up areas of the City. The proposal accomplishes these goals by recognizing the existing semi-detached dwelling and accessory apartment which provides an alternative housing option, creates a more diverse neighbourhood and encourages intensification for rental opportunities within the Low Density Residential area.

***City of Guelph Zoning By-law:***

The subject lands are currently designated as Residential (R.1B) Single Detached Zone which allows the following uses:

- *Single Detached Dwelling*
- *Accessory Apartment in accordance with Section 4.15.1*
- *Bed and Breakfast*
- *Day Care Centre*
- *Group Home*
- *Home Occupation*
- *Lodging House Type 1*

Currently the semi-detached dwelling is legal non-conforming however, through the zoning amendment, the proposed zoning designation of Residential (R.2) Semi-Detached/Duplex Zone allows the following uses:

- *Duplex Dwelling*
- ***Semi-Detached Dwelling***
- ***Accessory Apartment in accordance with Section 4.15.1***



- *Bed and Breakfast*
- *Group Home*
- *Home Occupation*

The proposal to re-zone the subject property is administrative in nature and is intended to amend the zoning by-law to conform with the use that has existed on the property for many years. This will legally recognize the existing semi-detached dwelling and accessory apartment in order to rent out the available units. The proposed zoning designation is in conformance with the neighbourhood and Planning Policy to intensify the existing built up area of Guelph through more intense uses. Figure 3 below shows the location of the subject property within the built up area of Guelph where intensification is encouraged.

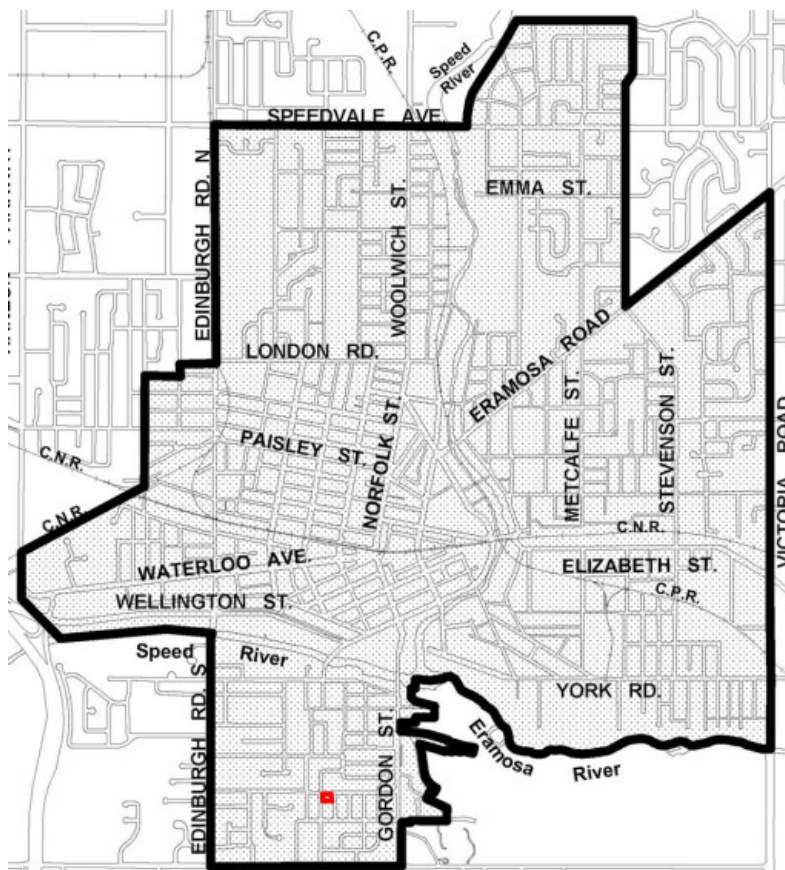


Figure 3 – Zoning By-law – Defined Area Map No. 66: Older built-up area of the city

Figure 4 below shows the zoning map for the neighbourhood of the subject lands. The subject property is highlighted in red. Although the majority of properties in the area are R.1B, the dwelling has existed for many years and the character of the neighbourhood will not change. No new development is being proposed other than the slight expansion of the driveway for No. 50 and extensive renovations are underway for the inside units. The subject property is walking distance to the University and a desirable area for students, professionals and families. This is a great opportunity to provide/keep more affordable housing in this area.



Figure 4 – Zoning By-law – Defined Area Map No. 26

## CONCLUSION:

The purpose of this report has been to provide background and justification for the proposed zoning by-law amendment application. The current zoning is Residential R.1B and the proposed zoning is Specialized Residential R.2 in order to permit the existing semi-detached dwelling, accessory apartment, the expansion of the driveway and various legal non-conforming items. The report has reviewed relevant planning policies and concludes that the proposal conforms to appropriate policies and thus the proposal constitutes a good planning practice.

The relevant policies from the PPS (2014) and the City's Official Plan and Zoning By-law encourage intensification of the existing built environment. The proposal for 50-52 Dean Avenue provides just that, an efficient use of land, buildings and servicing while providing a gradual increase in the average residential density of the neighbourhood.

The proposed zoning by-law amendment complies with the applicable planning policy and matches the zoning designation to a use that has existed on the property for many years. Amending the zoning designation of the property to Specialized Residential R.2 will have no new effect on the neighbourhood. In addition, splitting the property into two individual properties has the benefit of providing additional ownership opportunities and/or rental units in a central location of Guelph.

Allowing the amendment to permit the existing dwelling and accessory apartment is an efficient use of resources, allows for the continued use of quality residential units, and is supported by the relevant planning policies.

Very truly yours,  
Van Harten Surveying Inc.



**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Andy Donlan  
cc Janice Bruinsma

**Draft Zoning By-Law:**

**Severed Parcel:**

5.2.3.1.XX **R.2-XX**

52 Dean Avenue

As shown on Defined Area Map Number 26 of Schedule “A” of this By-law.

5.2.3.1.XX.1 **Regulations**

5.2.3.1.XX.1.1 **Lot Area**

Notwithstanding Row 2 of Table 5.2.2 of this By-law, the minimum lot area shall be 190m<sup>2</sup>

5.2.3.1.XX.1.2 **Front Yard**

Notwithstanding Row 5 of Table 5.2.2 of this By-law, the minimum front yard shall be 2.1m

5.2.3.1.XX.1.3 **Exterior Side Yard**

Notwithstanding Row 5a of Table 5.2.2 of this By-law, the minimum exterior side yard shall be 1.2m

5.2.3.1.XX.1.4 **Porch**

Notwithstanding Row 3 of Table 4.7 of this By-law, the minimum setback from front yard to the roofed porch shall be 0.1m

5.2.3.1.XX.1.5 **Maximum Driveway (Residential) Width**

Despite Section 4.13.7.2.3, the Driveway (Residential) shall have a maximum width of 4.5m.

**Draft Zoning By-Law:**

**Retained Parcel:**

5.2.3.1.XX **R.2-XX**

50 Dean Avenue

As shown on Defined Area Map Number 26 of Schedule “A” of this By-law.

5.2.3.1.XX.1 **Regulations**

5.2.3.1.XX.1.2 **Front Yard**

Notwithstanding Row 5 of Table 5.2.2 of this By-law, the minimum front yard shall be 2.1m

5.2.3.1.XX.1.3 **Rear Yard**

Notwithstanding Row 7 of Table 5.2.2 of this By-law, the minimum rear yard shall be 3.4m

5.2.3.1.XX.1.4 **Porch**

Notwithstanding Row 3 of Table 4.7 of this By-law, the minimum setback from front yard to the roofed porch shall be 0.2m

5.2.3.1.XX.1.5 **Maximum Driveway (Residential) Width**

Despite Section 4.13.7.2.3, the Driveway (Residential) shall have a maximum width of 6.0m.