

Staff Report

To City Council

Service Area Infrastructure, Development & Enterprise Services

Date Monday, December 10, 2018

**Subject Statutory Public Meeting Report
 50-52 Dean Avenue
 Proposed Zoning By-law Amendment
 File: OZS18-002
 Ward 5**

Report Number IDE-2018-141

Recommendation

That Report IDE-2018-141 regarding a proposed Zoning By-law Amendment application (File: OZS18-002) by Van Harten Surveying Inc. on behalf of the Owner, Janice Marie Bruinsma to recognize the existing semi-detached dwelling on the property municipally known as 50-52 Dean Avenue, and legally described as Part of Lots 72 & 73, Registered Plan 363, City of Guelph, Part 1 of 61R-10060, from Infrastructure, Development and Enterprise dated December 10, 2018, be received.

Executive Summary

Purpose of Report

To provide planning information on an application requesting approval of a Zoning By-law Amendment to recognize the existing semi-detached dwelling on the property municipally known as 50-52 Dean Avenue. This report has been prepared in conjunction with the Statutory Public Meeting for this application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

An application to amend the Zoning By-law was received for the property municipally known as 50-52 Dean Avenue from Van Harten Surveying Inc. on behalf of the Owner, Janice Marie Bruinsma on July 30, 2018 and deemed to be complete on August 24, 2018. The intent of the application is to change the zoning from the "Residential Single Detached" (R.1B) Zone to a "Specialized Residential Semi-Detached/Duplex" (R.2-?) Zone to recognize the existing semi-detached dwelling and to permit the existing accessory apartment. No development is proposed through this application. This application, if approved, will allow for a future consent to sever application to the Committee of Adjustment facilitate the sale of the existing semi-detached dwelling as two individual units.

Location

The subject property is located on the south east corner of Dean Avenue and Caledonia Street (see ATT-1 and ATT-2 - Location Map and Orthophoto). The subject property has an area of 617 square metres, a frontage of 20.317 metres along Caledonia Street and a depth of 30.590 metres along Dean Avenue. The property is currently developed with an existing semi-detached dwelling.

Surrounding land uses include:

- To the north: Dean Avenue, beyond which are lands zoned for residential uses;
- To the south: University Avenue West, lands zoned for residential uses;
- To the east: Graham Street, lands zoned for residential uses;
- To the west: Caledonia Street, beyond which are lands zoned for residential uses.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject property is "Low Density Residential." This designation applies to residential areas within the built-up area of the city which are currently predominantly low-density in character. The predominant land use in this designation is residential and includes single and semi-detached dwellings. The land use designations and relevant policies contained in the Official Plan are included in ATT-3.

Existing Zoning

The subject property is currently zoned "Residential Single Detached" (R.1B), according to Zoning By-law (1995)-14864, as amended.

The existing zoning is shown in included in ATT-4.

Proposed Zoning By-law Amendment

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

In addition to the regulations set out in Section 5.2 – Residential Semi-Detached/Duplex (R.2) Zone of Zoning By-law (1995)-14864, as amended, the following additional specialized regulations have been requested to recognize a number of non-complying items on the subject property and facilitate the parking requirements for an accessory apartment.

Future “Severed” Parcel- 52 Dean Avenue:

- A minimum lot area of 190 square metres, whereas the Zoning By-law requires a minimum lot area of 230 square metres;
- A minimum front yard of 2.1 metres, whereas the Zoning By-law requires a minimum front yard of 6 metres;
- A minimum exterior side yard of 1.2 metres, whereas the Zoning By-law requires a minimum exterior side yard of 6 metres;
- A minimum setback from the front lot line of 0.1 metres for an open, roofed porch not exceeding 1 storey in height, whereas the Zoning By-law requires a minimum setback of 2 metres for an open, roofed front porch; and,
- A maximum driveway width of 4.5 metres, whereas the Zoning By-law permits a maximum driveway width of 3.5 metres in the R.2 Zone.

Future “Retained” Parcel- 50 Dean Avenue:

- A minimum front yard of 2.1 metres, whereas the Zoning By-law requires a minimum front yard of 6 metres;
- A minimum rear yard of 3.4 metres, whereas the Zoning By-law requires a minimum rear yard of 4 metres;
- A minimum setback from the front lot line of 0.2 metres for an open, roofed porch not exceeding 1 storey in height, whereas the Zoning By-law requires a minimum setback of 2 metres for an open, roofed porch; and,
- A maximum driveway width of 6 metres, whereas the Zoning By-law permits a maximum driveway width of 3.5 metres in the R.2 Zone.

Proposed Development

The applicant is not proposing any new development on the subject property. The existing semi-detached dwelling can be sold as individual units if this Zoning By-law Amendment application and future Consent application is approved.

The applicant’s existing development plan is shown in ATT-6.

Supporting Documents

The following information was submitted in support of the application:

- Planning Justification Report, prepared by Van Harten Surveying Inc., dated July 25, 2018; and,
- Conceptual Site Plan, prepared by Van Harten Surveying Inc., dated July 24, 2018.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning, including the need for any specialized regulations; and,
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application was mailed on September 27, 2018 to local boards and agencies, City service areas and property owners within 120 metres of the subject property. The Notice of Public Meeting was mailed on November 13, 2018 to local boards and agencies, City service areas and property owners within 120 metres of the subject property and was also advertised in the Guelph Tribune on November 15, 2018. Notice of the application has also been provided by signage on the property and all supporting documents submitted with the application has been posted on the City's website.

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People - Building a great community together

Attachments

ATT-1	Location Map and 120m Circulation
ATT-2	Orthophoto
ATT-3	Official Plan Land Use Designations and Policies
ATT-4	Existing Zoning and Details
ATT-5	Proposed Zoning and Details
ATT-6	Existing Development Plan

Departmental Approval

Not applicable.

Report Author

Abby Watts
Development Planner I

Approved By

Chris DeVriendt
Manager of Development Planning

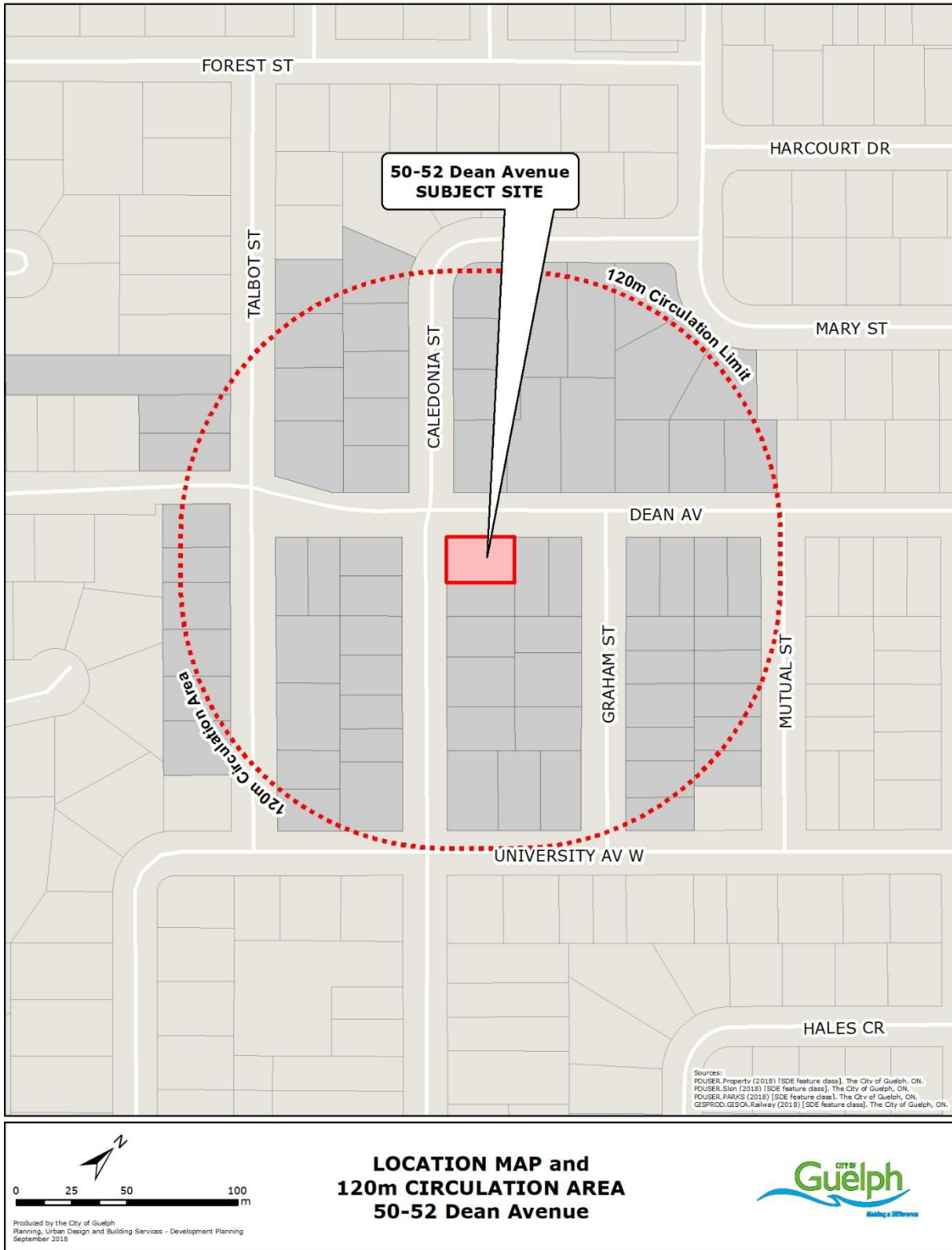
**Approved By:**

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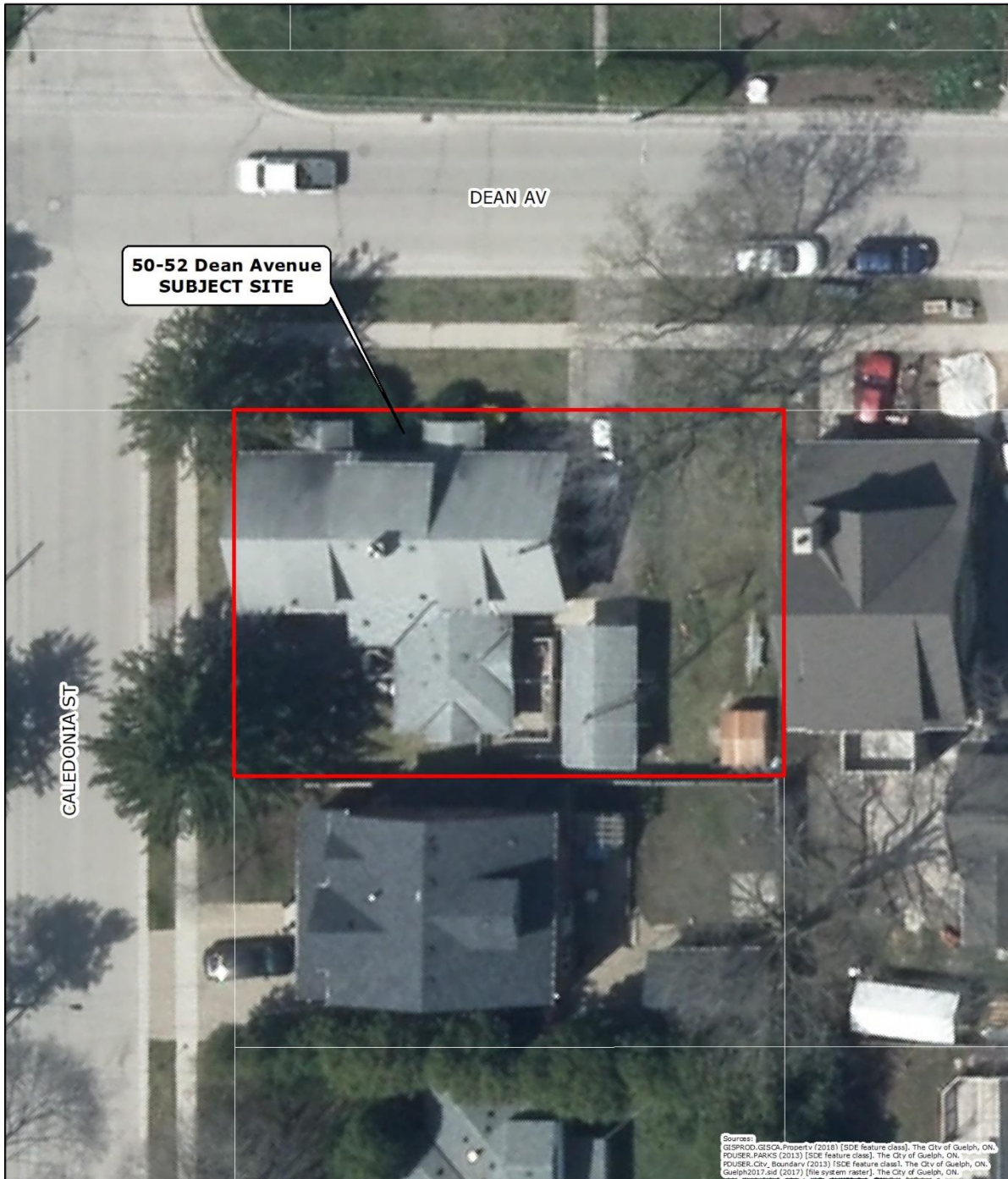
**Recommended By:**

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
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scott.stewart@guelph.ca

ATT-1
Location Map and 120m Circulation



ATT-2 Orthophoto



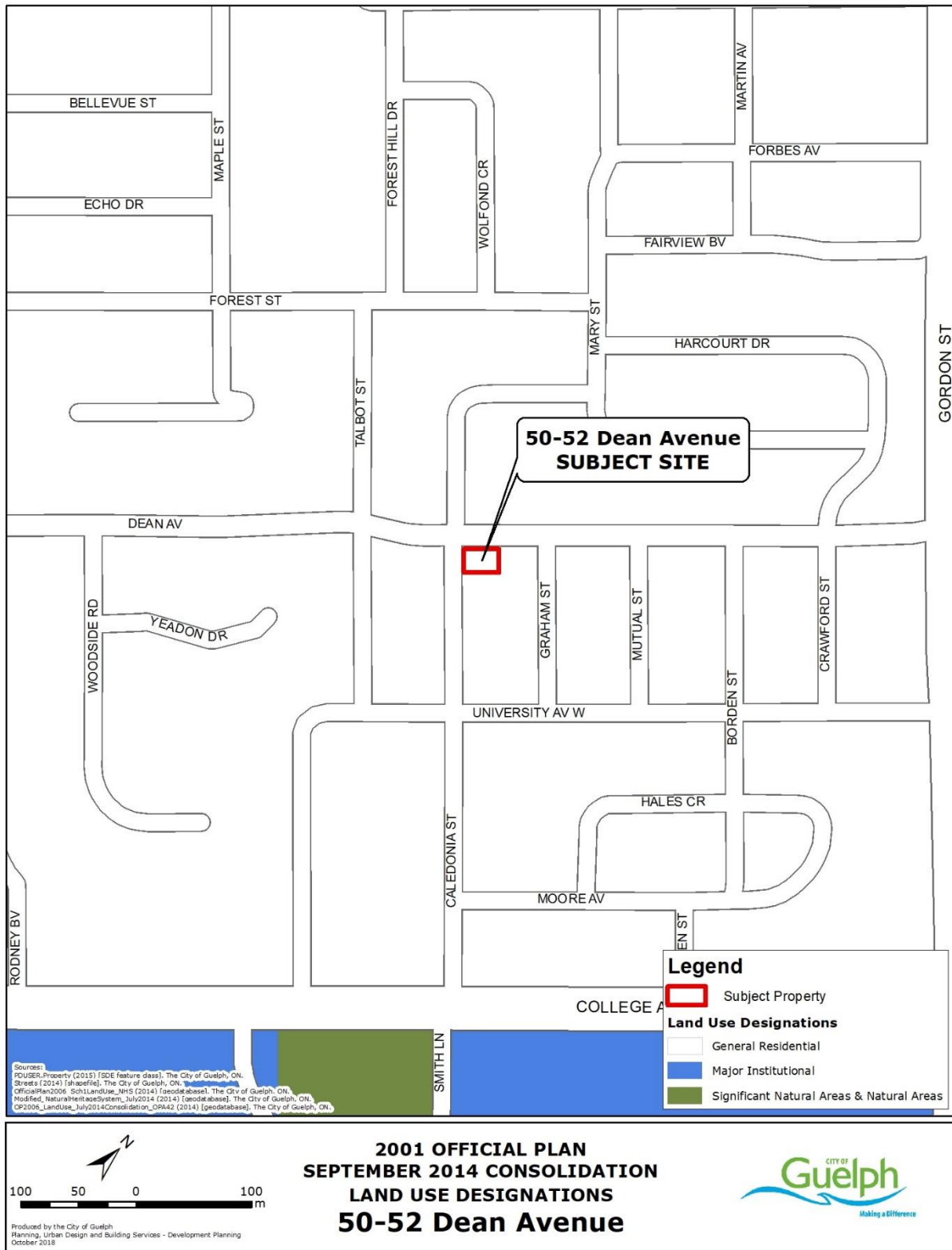


Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
October 2018

2017 ORTHOPHOTO 50-52 Dean Avenue



ATT-3 **Official Plan Land Use Designations and Policies**



ATT-3 (continued)
Official Plan Land Use Designations and Policies

9.3.2 Low Density Residential

This designation applies to residential areas within the built-up area of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

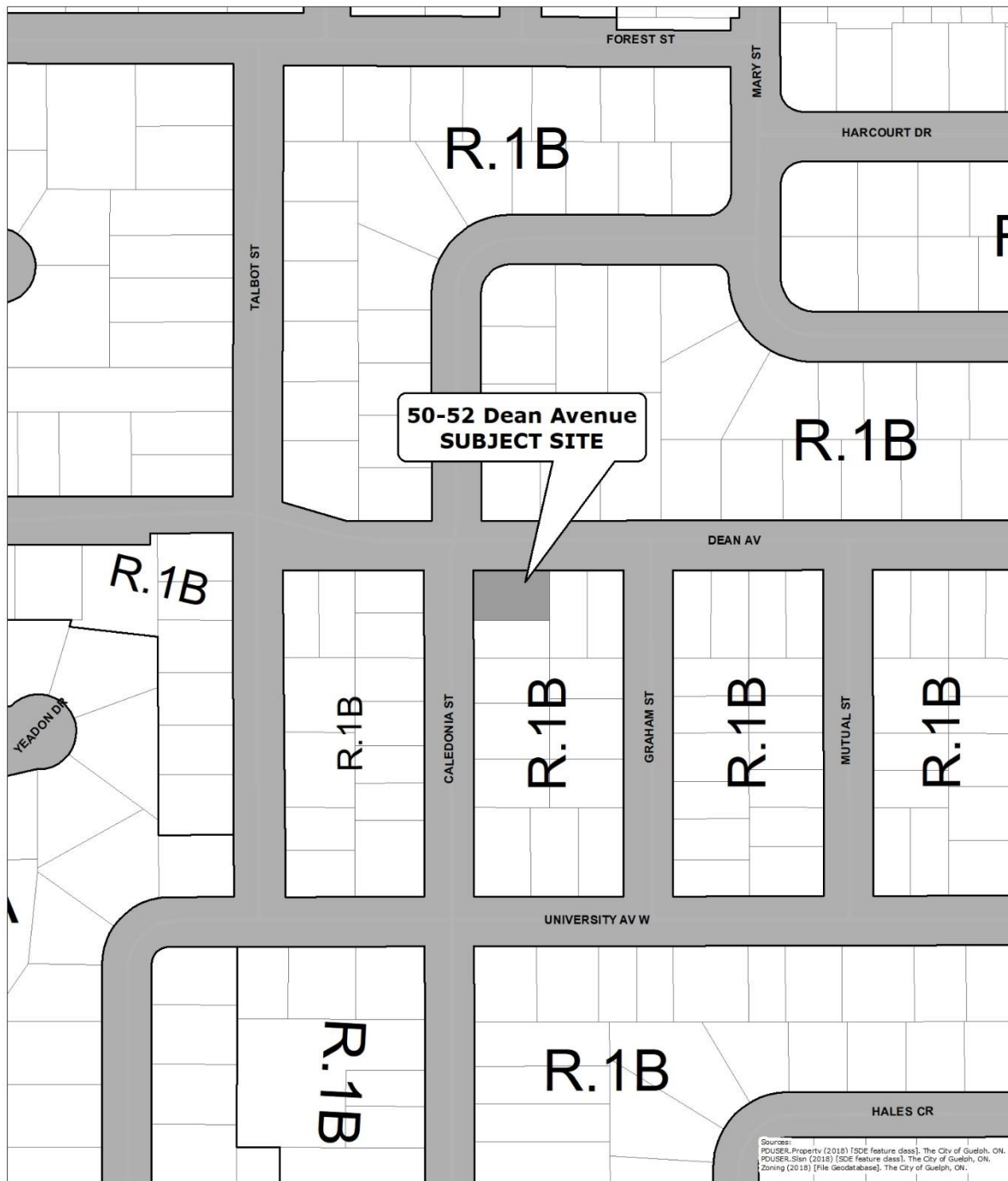
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.



Height and Density

The built-up area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3. The following height and density policies apply within this designation:

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 net density of 15 units per hectare.
4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for development proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum net density of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

ATT-4 **Existing Zoning and Details**




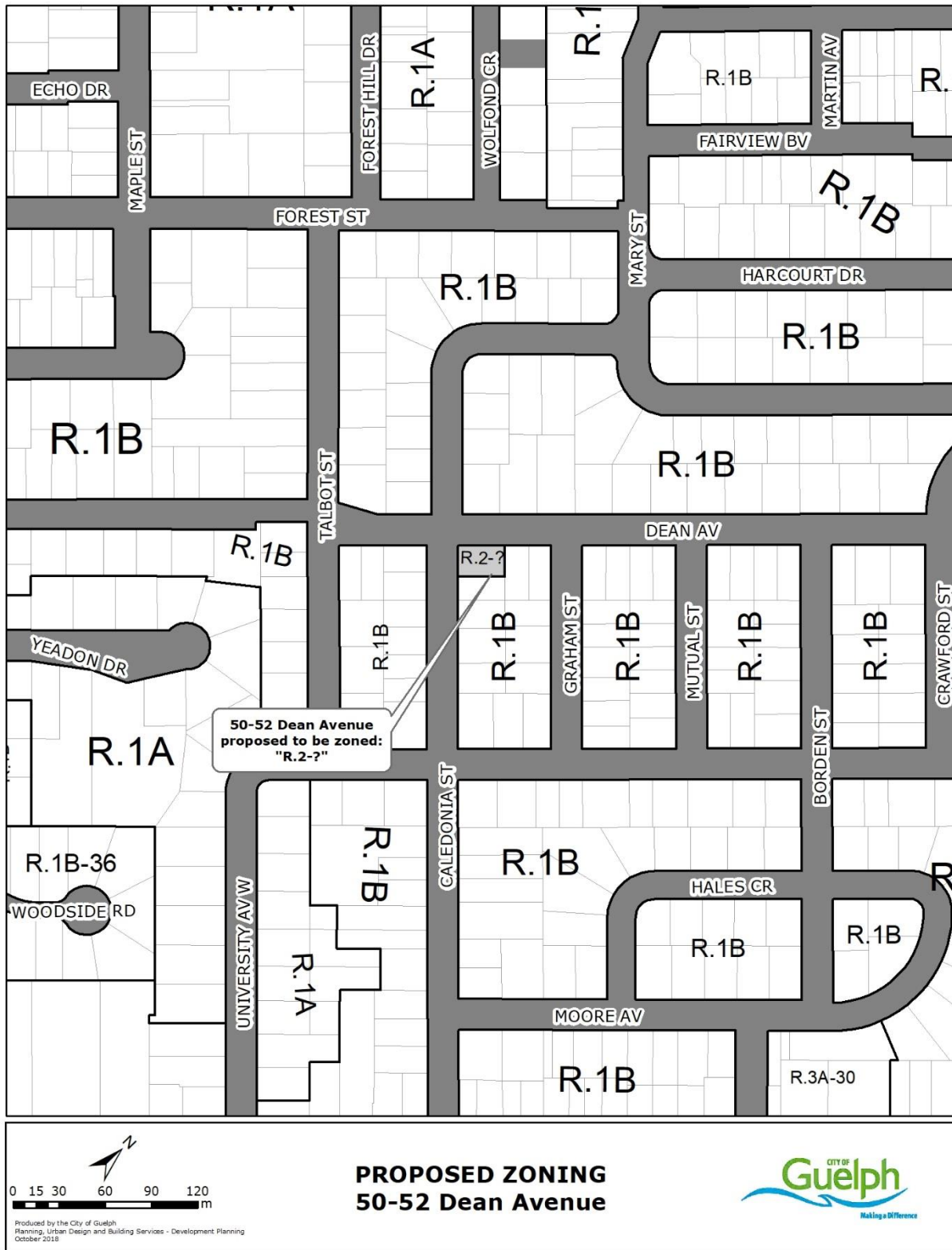
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EXISTING ZONING
50-52 Dean Avenue



ATT-5 **Proposed Zoning and Details**



Existing Development Plan

