

REPORT TO: Committee of Adjustment

DATE OF MEETING: March 18, 2025

SUBMITTED BY: Tina Malone-Wright, Manager, Development Approvals
519-783-8913

PREPARED BY: Ella Francis, Student Planner, 519-783-8602

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: March 5, 2025

REPORT NO.: DSD-2025-123

SUBJECT: Minor Variance Application A2025-014 – 51 Meadowridge St.

RECOMMENDATION:

That Minor Variance Application A2025-014 for 51 Meadowridge Street requesting relief from Section 4.14.4 d) of Zoning By-law 2019-051 to permit a deck, greater than 0.6 metres in height, to be setback from the rear lot line 2.5 metres instead of the minimum 4 metres and to permit the deck to be located 0.5 metres from the side lot line instead of the minimum required 2.5 metres, to recognize an existing deck on a townhouse dwelling unit, **BE APPROVED.**

REPORT HIGHLIGHTS:

- The purpose of this report is to review the minor variance application to permit a deck to be to be setback from the rear lot line 2.5 metres instead of the minimum 4 metres and to permit the deck to be located 0.5 metres from the side property line instead of the minimum required 2.5 metres.
- There are no financial implications.
- Community engagement included a notice sign being placed on the property advising that a Committee of Adjustment application has been received, notice of the application was mailed to all property owners within 30 metres of the subject property and this report was posted to the City's website with the agenda in advance of the Committee of Adjustment meeting.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is located on the east side of Meadowridge Street, near South Creek Drive and Thomas Slee Drive, in the Doon South neighbourhood.



Figure 1 — Location of subject property (outlined in RED)

The subject property is identified as 'Community Areas' on Map 2 – Urban Structure and is designated 'Low Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan.

The property is zoned 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051.

The purpose of the application is to recognize the setbacks of the existing deck. The deck is already built, so approval of this application would bring the existing deck into compliance.

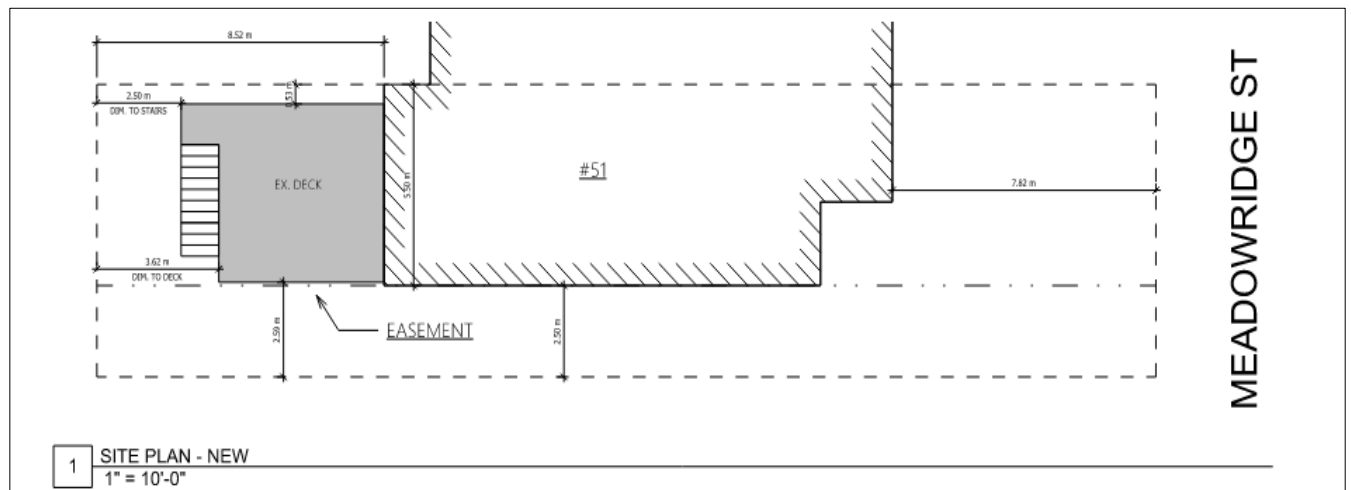


Figure 2 — Site Plan showing existing deck.

Planning Staff conducted a site visit on February 28, 2025.



Figure 3 — Front of subject property.



Figure 4 — View of deck from rear yard facing southwest.



Figure 5 — View of deck from rear yard facing south.

REPORT:

Planning Comments:

In considering the four tests for the minor variances as outlined in Section 45(1) of the Planning Act, R.S.O, 1990 Chap. P 13, as amended, Planning staff offers the following comments:

General Intent of the Official Plan

The subject property is designated 'Low Rise Residential' in the City's Official Plan. The intent of this designation is to encourage a range of different housing to achieve a low rise built form in the neighbourhood. The use of the property and deck are permitted with the land use designation. The variance to recognize the location of the existing deck will maintain the general intent of the Official Plan.

General Intent of the Zoning By-law

Section 4.14.4 of Zoning By-law 2019-051 states that a deck must be located minimum of 4 metres from the rear lot line and must meet the side yard setbacks required for the dwelling in the applicable zone. Section 7.3, Table 7-4 states that the minimum interior side yard setback is 2.5 metres for a street townhouse dwelling in a Low Rise Residential Five Zone.

The purpose of requiring minimum side yard setbacks in the rear and side yards is to provide privacy, ensure appropriate access, and to avoid encroachment onto neighbouring properties. There is a barrier between the deck and neighbouring property which can mitigate privacy concerns from the reduced side yard setback. The rear yard backs onto green space, so there are no privacy concerns with the reduced rear yard setback. There is a 2.5 metre side yard setback on the northerly side of the deck which provides sufficient

access to the rear yard. Staff observed no encroachment onto neighbouring properties. Therefore, the proposed variance maintains the general intent of the Zoning By-law.

Is/Are the Effects of the Variance(s) Minor?

Staff have not observed any significant or adverse impacts related to the existing deck. Reconstructing the deck to bring it into compliance with the Zoning By-law could cause more significant impacts than permitting the zoning deficiencies in the existing deck. Therefore, the effects of the proposed variance are minor in nature.

Is/Are the Variance(s) Desirable For The Appropriate Development or Use of the Land, Building and/or Structure?

The deck provides an amenity area for the townhouse unit which enhances the use of the rear yard. Therefore, the proposed variance is desirable and appropriate for the use of the land.

Environmental Planning Comments:

The subject property backs onto the Groh Scenic Heritage Corridor, a trail buffered on either side with trees and vegetation. Care should be taken when working in the rear yard not to negatively impact adjacent trees or vegetation.

Heritage Planning Comments:

No concerns. However, the applicant is advised that the subject property is located adjacent to the Groh Drive Cultural Heritage Landscape.

Building Division Comments:

The Building Division has no objections to the proposed variance. A Building Permit application has been made for the rear yard deck.

Engineering Division Comments:

No concerns.

Parks and Cemeteries/Forestry Division Comments:

No concerns.

Transportation Planning Comments:

No concerns.

GRCA Comments:

No concerns.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Committee of Adjustment meeting. A notice sign was placed on the property advising that a Committee of Adjustment application has been received. The sign advises interested parties to find additional information on the City’s website or by emailing the Planning Division. A notice of the application was mailed to all property owners within 30 metres of the subject property.

PREVIOUS REPORTS/AUTHORITIES:

- *Planning Act*
- *Provincial Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*