

# Staff Report



Development Services Department

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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** April 18, 2023

**SUBMITTED BY:** Tina Malone-Wright, Interim Manager, Development Review  
519-741-2200 ext. 7765

**PREPARED BY:** Arwa Alzoor, Planning Technician, Site Development, 519-741-2200  
ext. 7847

**WARD(S) INVOLVED:** Ward 7

**DATE OF REPORT:** March 23, 2023

**REPORT NO.:** DSD-2023-149

**SUBJECT:** Minor Variance Application A2023-043 - 300 Countrystone Crescent

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## RECOMMENDATION:

### Zoning By-law 2019-051

That Minor Variance Application A2023-043 for 300 Countrystone Crescent requesting relief from the following sections of Zoning By-law 2019-051:

- i) Section 4.12.3 i) to permit a minimum lot width of 10.9 metres instead of the required minimum lot width of 13.1 metres;
- ii) Section 4.12.3 h) to permit a lot area of 383 square metres instead of the minimum required lot area of 395 square metres; and
- iii) Section 5.6 table 5-5 to permit 2 parking spaces instead of the minimum required 3 parking spaces;

to facilitate the development of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of a property containing an existing Single Detached Dwelling with an Additional Dwelling Unit (ADU) (Attached) (Duplex dwelling), in accordance with drawings prepared by Fine Line Drafting & Design Inc., dated March 15, 2023, BE DEFERRED TO A MEETING DATE AGREED TO BY THE APPLICANT.

## REPORT HIGHLIGHTS:

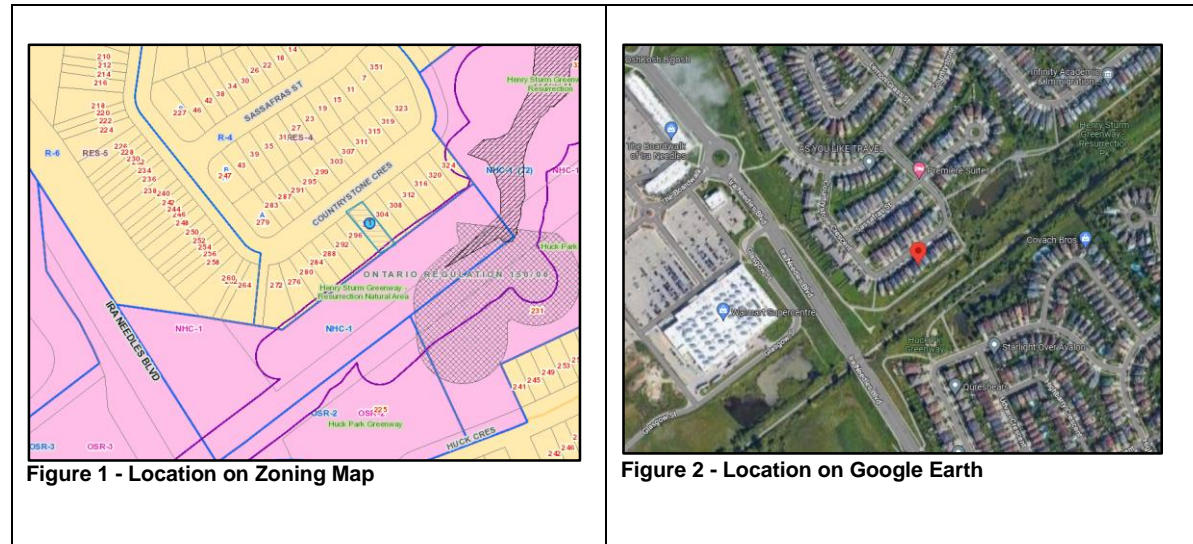
- The purpose of this report is to recommend Deferral of minor variances to facilitate the development of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of a property containing an existing Single Detached Dwelling with an Additional Dwelling Unit (ADU) (Attached) (Duplex dwelling).
- 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 information is available in accessible formats upon request. \*\*\*  
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

- This report supports the delivery of core services.

## BACKGROUND:

The subject property is located north of Victoria Street South and east of Ira Needles Boulevard. It currently contains two-storey Single Detached Dwelling with one Additional Dwelling Unit (ADU) (Attached).



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 Four Zone (RES-4)' in Zoning By-law 2019-051.

The purpose of this application is to facilitate the development of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of the subject property. The following minor variances are required.

- To permit a lot area of 383 square metres instead of minimum required 395 square metres;
- To permit a lot width of 10.9 metres instead of minimum required 13.1 metres;
- To permit 2 parking spaces instead of the minimum required 3 parking spaces, one for each dwelling unit. One parking space will be located in the attached garage and the second parking space will be located on the driveway.

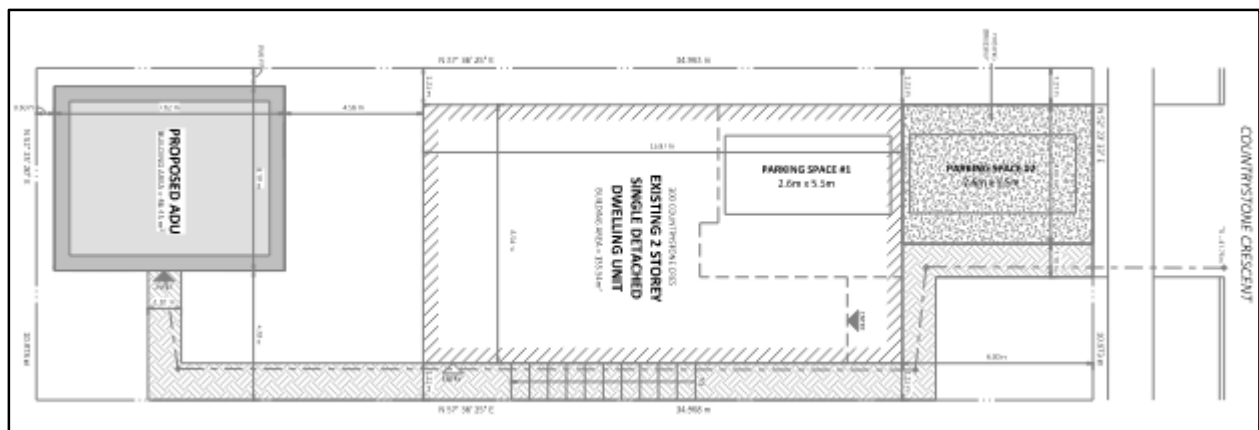


Figure 3 Site plan drawing showing the proposed ADU detached

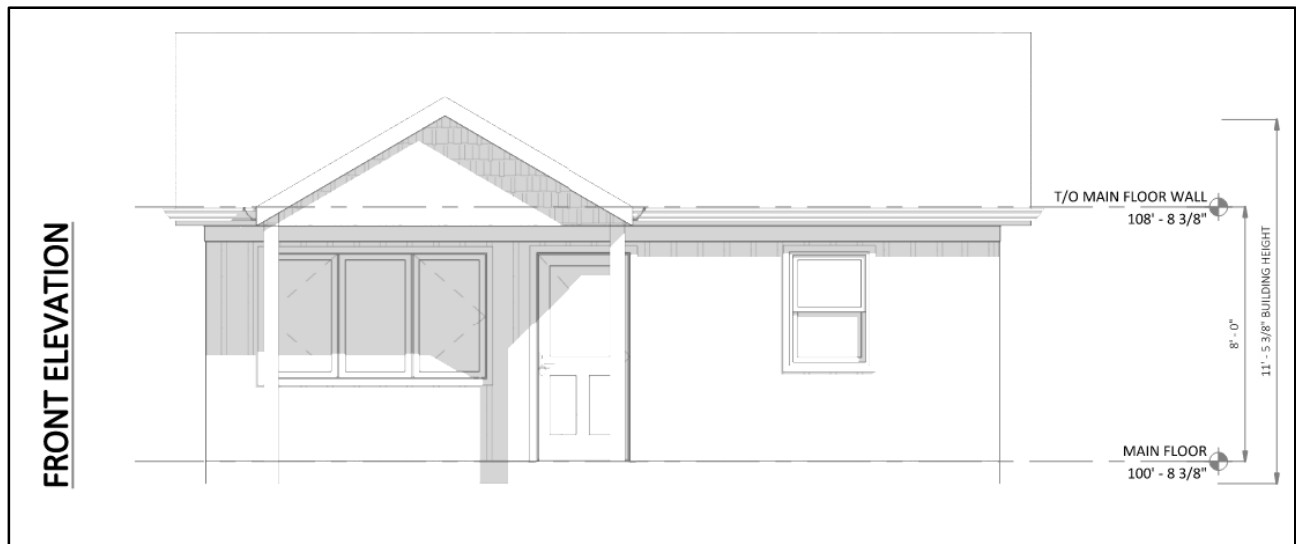


Figure 4 - Elevation drawing of the proposed ADU (Detached)

Since the application was submitted, Planning staff were informed that one of the dwelling units currently operates a 'home business'. In order to facilitate the development of the ADU (Detached), the 'home business' may be required to be removed or an additional minor variance may be required to permit the 'home business' to operate in a dwelling unit which is not a single detached dwelling.

The applicant has asked that Minor Variance Application A2023-043 be deferred in order to determine if they would like to proceed with the minor variance as requested or revise their application to include the minor variance for the 'home business'.

#### **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 Policy Statement (PPS 2020)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*