



Staff Report

Report To: Council
Report From: Lorelie Spencer, Manager of Planning & Development
Meeting Date: June 6, 2023
Subject: ZA16.2023 – JT EXCAVATING LTD. (Cobide Engineering Inc.)

Recommendations:

That in consideration of staff report ZA16.2023 – JT EXCAVATING LIMITED (Cobide Engineering Inc.) council directs staff to bring forward a bylaw to authorize the passage of a zoning bylaw amendment.

Highlights:

- The purpose of the application is to change the zone symbol on the subject lands from R1B (residential) to R1B-484 (residential with exception) and R2-485 (residential with exception) the subject lands.
- The effect of which will permit the construction of a semi-detached dwelling unit on a newly created parcel (B11.2023), recognize the deficient frontages of the newly created lot, and recognize the existing deficient front yard and interior side yard setbacks of the existing single detached dwelling unit.
- Exception 484 will permit a minimum front yard setback of 7.45m whereas 7.6m is required in addition to a minimum interior side yard setback of 0.49m whereas 1.2m is required.
- Exception 485 will recognize the deficient lot frontage of the newly created lot of 8.59m.

Previous Report/Authority:

[B11.2023 - JT Excavating Ltd. \(Cobide Engineering Inc.\).docx](#)

Analysis:

The subject lands are municipally identified as 451 Countess Street South and legally identified as LOTS 13 and 14: PLAN 505 in the Town of Durham. The property is located on the east side of Countess Street South and situated southeast of the

intersection of Elizabeth Street West and Countess Street South. The site is comprised of approximately 0.2 hectares. A single detached dwelling unit currently exists on the subject lands.

The subject lands are designated as 'Primary Settlement Area' on schedule 'A' of the County of Grey Official Plan. The Municipality of West Grey Official Plan designates the lands as 'residential' through schedule 'A' of the local plan.

The purpose and effect of the application is fundamentally to fulfill a condition of provisional consent for file B11.2023. File B11.2023 was approved by the Committee of Adjustment on May 2nd, 2023, and is currently within the defined appeal period.

Planning staff provided a report to the Committee of Adjustment (a copy of the link is noted above) which reviewed the 2020 Provincial Policy Statement (2020 PPS), County of Grey Official Plan, Municipality of West Grey Official Plan and the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006.

Planning staff have no further concerns related to the merits of the application.

4.0 The Municipality of West Grey Comprehensive Zoning By-law No. 37-2006

The subject lands are currently zoned R1B (residential) which permits one (1) single detached dwelling unit. To provide permission for the semi-detached dwelling units on the vacant lot created by provisional consent approval and to recognize the deficient front and interior side yard setbacks as a result of the newly created lot line. Planning staff have no concerns related to the proposed change in use to permit intensification on the subject lands.

Provision 12.2.3 requires a front yard setback of 7.6m. The zoning amendment will recognize a deficient front yard setback of 7.45m. Planning staff are satisfied that the reduction is minimal and recognize that the setback existed regardless of the consent application.

Provision 12.2.4 requires an interior side yard setback of 1.2 metres for a one storey single detached dwelling unit. The intent of the interior side yard setback provision is to provide access between the subject lands and adjacent lands for privacy and maintenance purposes. Planning staff are satisfied that 0.49 metres will continue to provide sufficient space for access purposes and privacy which will maintain the general intent and purpose of the zoning by-law provision. The applicant is advised to be mindful of the setback requirements for the future development of a semi-detached dwelling unit.

Provision 13.2.2.2 requires a minimum lot frontage of 9.0 metres. The new lot line created as a result of provisional consent approval provides a frontage of 8.59 metres and 8.75 metres respectively. Planning staff find the reduced frontage minimal and have no concerns relative to the site's capability for development.

Staff are satisfied that the proposed development will maintain the general intent and purpose of the zoning by-law and promote another form of housing and intensification in the Town of Durham.

Financial Implications:

None.

Communication Plan:

As per the requirements of the Planning Act, R.S.O. 1990, as amended.

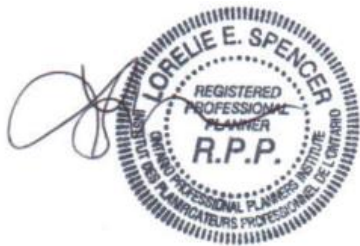
Consultation:

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority
- Hydro One
- Enbridge Gas

Attachments:

- 1) Aerial and official plan mapping (schedule 'A')
- 2) Aerial and zoning map
- 3) Application sketch
- 4) County of Grey Planning and Development Department comments
- 5) Saugeen Valley Conservation Authority comments
- 6) Hydro One comments
- 7) Enbridge Gas comments

Recommended by:



Lorelie Spencer, Ba.U.R.PI, MCIP, RPP
Manager of Planning and Development

Submission reviewed by:

Laura Johnston, Chief Administrative Officer

For more information on this report, please contact Lorelie Spencer, Manager of Planning & Development at lspencer@westgrey.com or 519.369.2200, ext. 236.