

Staff Report

Report To: Council
Report From: Mary Hall, RPP (ret)
Meeting Date: September 19, 2023
Subject: ZA11.2023 - Granite Ventures Inc. (Cameron Gerber)

Recommendations:

THAT in consideration of staff report ZA11.2023 - Granite Ventures Inc. (Cameron Gerber), council directs staff to bring forward a bylaw to authorize the passage of a zoning bylaw amendment.

Highlights:

- The purpose of the Zoning Bylaw amendment application is to change the Zone symbol on the subject property from R2 (Residential) to R2-493 (Residential with an exception).
- Amend the front yard setback for the existing triplex on the property from 7.6m to 0.0m.
- Amend the rear yard setback from 7.6m to 2.5m, the effect of which will allow the conversion of an existing accessory building into two residential dwelling units (duplex).
- Amend the minimum per unit floor area from 70m² to 30m².
- Amend the maximum number of main use building from one to two. There are two buildings on the property, the triplex at the front of the property and an accessory building to the rear. Applicant/landowner wants to convert the accessory building at the rear into 2 residential dwelling units (bachelor apartments).
- Existing municipal water and sanitary connections to the triplex dwelling will be extended to the proposed duplex and will require a booster pump.

Previous Report/Authority:

[Public meeting agenda for ZA11.2023 - Granite Ventures Inc. \(Cameron Gerber\)](#)

Analysis:

The subject lands are municipally known as 365 Grafraxa Street North (Plan 502 N PT Lot 26) in the settlement area of Durham. The subject lands have a frontage of 18.5m and a lot area of 0.08 hectares.

The subject property is presently being used as residential with a triplex dwelling and accessory build to the rear. The property owner has applied to the Municipality of West Grey to convert the accessory building located in the rear yard into a duplex (two bachelor apartments).

The property is designated Residential in the municipality of West Grey official plan and zoned R2 (residential) in the municipality of West Grey zoning bylaw.

In assessing the merits of the Zoning Bylaw amendment application, staff has reviewed the following documents:

1. Bill 23 More Homes, Built Faster Act
2. Provincial Policy Statement
3. County of Grey Official Plan
4. Municipality of West Grey Official Plan
5. Municipality of West Grey Zoning Bylaw

1.0 Bill 23 More Homes, Built Faster Act

Bill 23 overrides municipal Zoning bylaws to allow more “missing middle” homes to be built without further planning approvals. The legislation does not allow the municipality to set restrictions on unit size or require no more than one parking space per unit.

The proposed conversion of the accessory building into two bachelor apartments with two parking spaces meets Bill 23 More Homes, Built Faster Act.

2.0 Provincial Policy Statement

Settlement Areas shall be the focus of growth and development and land use patterns shall be based on densities and a mix of land use. The proposed Zoning By-law amendment to convert the accessory building into two bachelor apartments promotes a minor increase in residential density.

As well Section 3.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lakes systems and hazardous sites. The SVCA stated the property is not located in an area that is subject to the local Drinking Water Source Protection Plan. Saugeen Valley Conservation Authority is of the opinion the application complies with this policy.

It is the SVCA opinion that the Zoning Bylaw Amendment application is acceptable given as it is consistent with Section 3.1, Natural Hazard policies of the Provincial Policy Statement (PPS) and consist with the local planning policies for natural hazards has been demonstrated.

3.0 County of Grey Official

County staff has provided the following comments:

Subject lands are designated primary settlement area in the county's official plan and located in the downtown area of Durham.

The proposal would add gentle density to the existing property which would assist toward alleviating the current deficiency of residential units across the County. Provided there are full municipal services available.

County staff generally has no concerns.

County staff noted the subject lands are within the adjacent lands of 'Significant Woodlands' to the east and the existing shed is within the regulatory area of the Saugeen Valley Conservation area. See comments from the SVCA below.

4.0 Municipality of West Grey Official Plan

The subject property is designated residential in the municipality of West Grey's official plan. The municipality's official plan strives to provide a supply of affordable, attainable and desirable residential unit types and densities for the present and future use of Durham and Neustadt. The residential intensification proposed by the zoning bylaw amendment assists in providing a supply of affordable residential use. Staff is of the opinion the zoning amendment meets the intent and purpose of the official plan.

5.0 Municipality of West Grey Zoning Bylaw

The landowner has applied to the municipality to reduce the minimum rear yard setback from 7.6m to 2.5m as the existing accessory building will be converted into two bachelor dwelling units. Municipal staff have requested the existing front yard setback be recognized through this zoning bylaw amendment, to reduce the front yard setback from

7.6m to 0.0m. The maximum number of main use buildings permitted per lot will be amended from one to two. The minimum per unit floor area will be reduced from 70m² to 30m².

The site plan provided with the Zoning Bylaw application shows seven parking spaces, which meets the requirements of the zoning bylaw.

6.0 Agency comments

Saugeen Valley Conservation Authority Comments

SVCA staff find the application acceptable. Although there are no natural features on the property, the valley slope of the main Saugeen River is located on land immediately to the east of the property. The applicant has received a permit from Saugeen Valley Conservation Authority to convert the accessory building into two residential units (bachelor apartments).

7.0 Comments from the Public Meeting

At the public meeting a member of the Public raised concerns about light pollution from the proposed converted residential building. The Chief Building Official stated the only lights proposed would be a light on the back deck of the converted building and will have minimal impact to the adjacent properties.

8.0 Planning summary

Planning staff has reviewed the various Planning documents related to the zoning bylaw amendment application and is of the opinion that the zoning bylaw amendment meets the policies of Bill 23, Provincial Policy Statement 2020, county of Grey official plan, municipality of West Grey official plan and the municipality of West Grey zoning bylaw 137.2006. Planning staff recommends council adopts the zoning bylaw amendment.

Financial Implications:

None.

Communication Plan:

A notice of the public meeting was advertised by the adjacent property owners as required under the Planning Act and a public meeting was held on Tuesday, September 5, 2023, at the municipal office. Any decision made by council on the zoning bylaw amendment will be circulated to anyone requesting the notice of the council decision.

Consultation:

- County of Grey planning department
- Saugeen Valley Conservation Authority

Attachments:

- County of Grey comments
- Saugeen Valley Conservation Authority comments
- West Grey Building Department comments
- West Grey Fire Department Comments
- Hydro One Comments
- West Grey Public Works Department comments

Recommended by:

Mary Hall, BES RPP(ret)

Karl Schipprack, CBCO, Director of Infrastructure and Development

Submission reviewed by:

Laura Johnston, Chief Administrative Officer

For more information on this report, please contact Karl Schipprack, Director of Development and Infrastructure at kschipprack@westgrey.com or (519)369-2200, ext. 234.