

The Township of East Garafraxa

Supplemental Consultant Planning Report to Committee of Adjustment

To: Committee of Adjustment Members

From: Fotenn Consultants Inc.

Date: May 7, 2025

Meeting Date: May 13, 2025

Applicant: John Cox c/o JL Cox Planning Consultants Inc.

Owner: Homes in the Hills Inc. (Francesco Labricciosa)

Subject: Minor Variance A2-25
Part Lot 10, Concession 14

Official Plan Designation: Environmental Protection, Rural

Zoning: Rural Residential

Minor Variance Application A2-25 was heard at the March 25, 2025 Committee of Adjustment meeting. During the meeting, community members indicated concerns with the proposals request for reduction to the rear yard setback and reduction of the minimum distance separation (MDS) requirement along with concerns on the protection of the environmental features on the property. The Committee deferred the above noted application requesting that the applicant investigate opportunities to revise the building envelope and provide more details regarding the septic system.

The applicant submitted a revised plan to the Township on April 30, 2025 (refer to Appendix A). The revised plan increases the requested rear yard setback from 7 metres to 12.5 metres. The increase rear yard setback was achieved by making a reduction to the building footprint (from 238.6 m² to 216.2 m²) and reorientating the proposed dwelling to align with the wetland setback boundary. The proposal maintains the wetland buffer established with GRCA. The septic system has been sized in accordance with the Ontario Building Code (OBC) and will be subject to a future building permit. The applicant has further indicated that there is no other suitable location on this lot for a building envelope given the constraints on the existing lot of record. The increase in the rear yard setback attempts to address concerns raise on the application and we are supportive of the increase to the setback. It is our opinion, that the revised rear yard setback of 12.5 metres is appropriate for the proposed development given the constraints on the property.

The applicant is still requesting the proposed variance for the MDS from the requirement of 110m to 70 metres. As indicated in our original report (dated March 19, 2025), there is an existing dwelling

located 45 metres from the existing livestock facility. The existing dwelling is located closer to the livestock facility than the proposed dwelling. As such, the livestock facility is already constrained by the existing dwelling adjacent to it. The proposed dwelling does not result in any constraints on the livestock facility which does not already exist. Therefore, it is our opinion that the reduction to the MDS is appropriate.

Recommendation

The applicant is seeking approval for relief from Zoning By-law 60-2004, as amended, with respect to the property located at Part Lot 10, Concession 14. Provision 4.3.2 iii) d) permits a minimum Rear Yard setback of 20 metres for Rural Residential zones. The revised site plan proposes to be located 12.5 metres from the Rear Lot Line. Therefore, relief of 7.5 metres is required. Provision 3.25.1 requires that all residential development adhere to relevant MDS setbacks, however, a required setback of 110 metres would preclude the Subject Property from development. As such, a variance of 40 metres is required to permit a 70 metre setback from the adjacent livestock facility. The requested variance is intended to facilitate the development of a single-detached residential dwelling located a sufficient distance from adjacent environmental and agricultural constraints, which otherwise complies with the provisions of the Rural Residential zone. There are no anticipated impacts on the subject property or the surrounding neighbourhood.

It is our opinion that the conclusions and recommendations in the March 19, 2025 Planning Consultant Report are still appropriate and valid.

1. DOCUMENTS

Appendix A: Revised Site Plan

Submitted by:



Jennifer Maestre, MCIP, RPP
Fotenn Planning Consultants Inc.

FOTENN

APPENDIX A: Revised Site Plan

Site Plan (As provided by the Applicant)

LEGEND:

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
- IB DENOTES .015 x .015 x 0.60 IRON BAR
- 375 DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
- VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
- P1 DENOTES DEPOSITED PLAN 61R-9721 BY (375)
- P2 DENOTES REGISTERED PLAN 457
- DENOTES INSTRUMENT ROS272807
- D2 DENOTES INSTRUMENT ROS158675

EXISTING ELEVATION +471.53
PROPOSED ELEVATION + (473.14)
HYDRO POLE HP
BELL PEDESTAL BELL
WOOD STAKE
SIGN SN
DECIDUOUS TREE
CONIFEROUS TREE
DIRECTION OF FLOW
OVERHEAD HYDRO OH
FENCELINE
TOP OF BANK
BOTTOM OF BANK
TREE / BUSH LINE
SILT FENCE / TREE PROTECTION FENCE
STAKED LIMIT OF WETLAND
STAKED 30.00 m WETLAND SETBACK
30.00 m OFFSET TO WETLAND STAKES
STAKED APPROXIMATE BUILDING ENVELOPE

GRAVEL
30.00 WETLAND BUFFER ZONE
LAWN
WETLAND
PROPOSED RETAINING WALL

UNDERGROUND SERVICES NOTE:

- ALL UNDERGROUND SERVICES INCLUDING STORM, SEWER, WATER, SANITARY, GAS, HYDRO, TELEPHONE, & CABLE SERVICES HAVE NOT BEEN LOCATED OR SURVEYED.

BEARING AND COORDINATE NOTE:

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.999577.

BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

PLANS	ROTATION FOR NORTHEAST BEARINGS
P2	-36°21'45"

NOTES:

- WETLAND BOUNDARY WAS VERIFIED BY GRCA STAFF JUNE 28, 2022 AND SURVEYED BY VAN HARTEN SURVEYING AUGUST 2, 2022.
- ALL WORK IS TO BE CONFINED TO WITHIN THE DEVELOPABLE AREA AS DEFINED BY THE GRCA.
- SEWAGE SYSTEM IS DESIGNED BY OTHERS.
- LOCATION OF WELL IS SUBJECT TO CHANGE.
- CONCEPTUAL DWELLING IS FOR ILLUSTRATION ONLY. SITE PLAN IS TO BE UPDATED FOR BUILDING PERMIT APPLICATION TO SHOW THE PROPOSED DWELLING THAT IS TO BE CONSTRUCTED.

SEDIMENT AND EROSION CONTROL NOTES:

- ALL SILT FENCING TO BE INSPECTED AND INSTALLED PRIOR TO THE COMMENCEMENT OF ANY GRADING OR EXCAVATING.
- ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS SITE DEVELOPMENT PROGRESSES. THE CONTRACTOR IS REQUIRED AS SITE DEVELOPMENT PROGRESSES. THE CONTRACTOR IS REQUIRED AS SITE DEVELOPMENT PROGRESSES.
- PROVIDE ANY ADDITIONAL EROSION CONTROL STRUCTURES.
- ALL EROSION CONTROL STRUCTURES ARE TO REMAIN IN PLACE UNTIL ALL DISTURBED GROUND SURFACES HAVE BEEN STABILIZED BY RESTORATION OF GROUND COVER.
- RIPRAP AT ENTRANCE IS TO BE MINIMUM OF 300mm DIAMETER.

SEWAGE SYSTEM:

- SEWAGE SYSTEM DESIGNED BY DK EXCAVATING. REFER TO THEIR DRAWINGS FOR SYSTEM DETAILS. IT'S LOCATION WITHIN THE DEVELOPABLE AREA IS SUBJECT TO CHANGE.

FILL VOLUMES:

SECTION A-A'
0.45m THICK DRIVEWAY SURFACE TO MATCH EXISTING GRADE. FILL TO BE REMOVED
GRAVEL FILL TO BE PLACED FOR DRIVEWAY = 133.7m³±

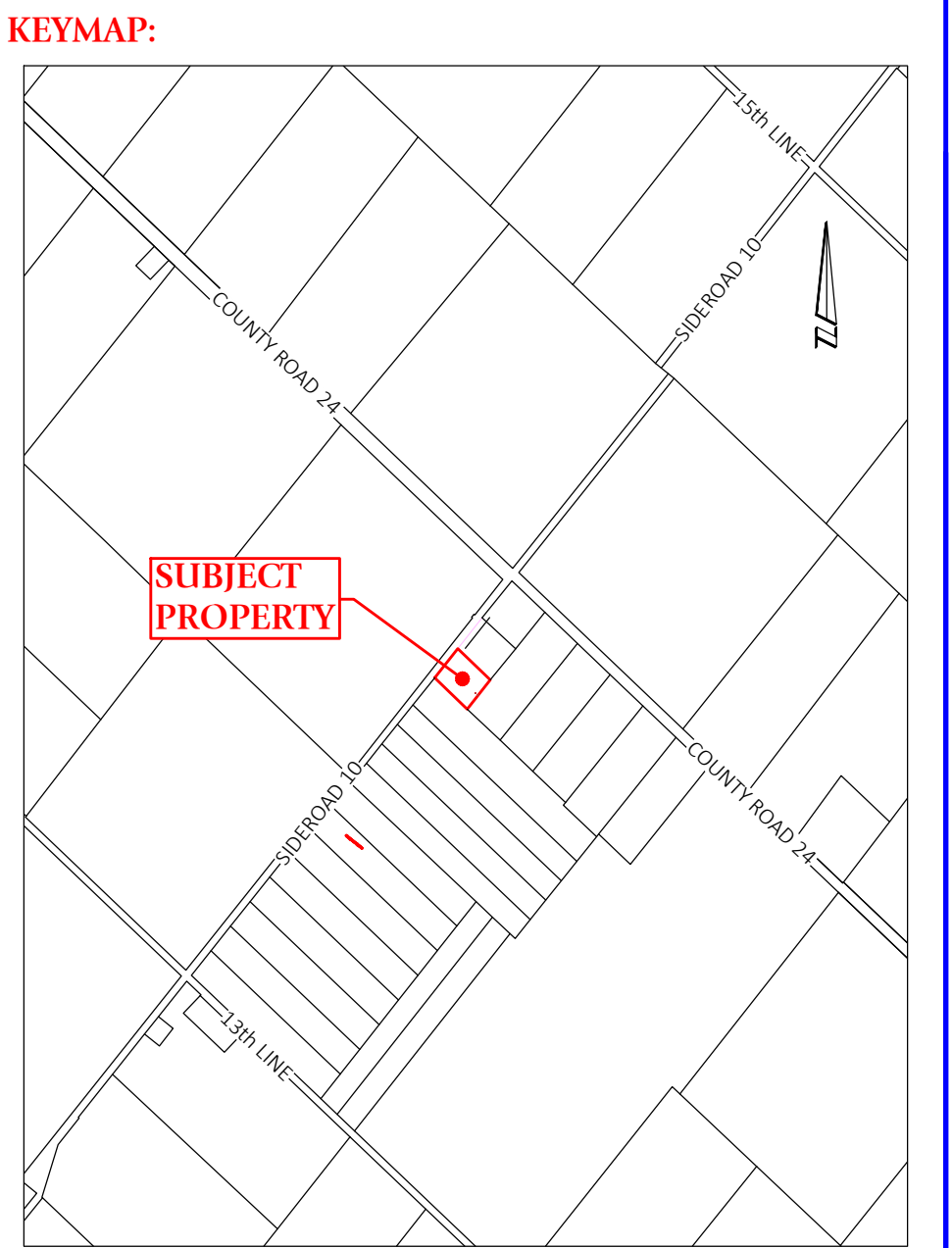
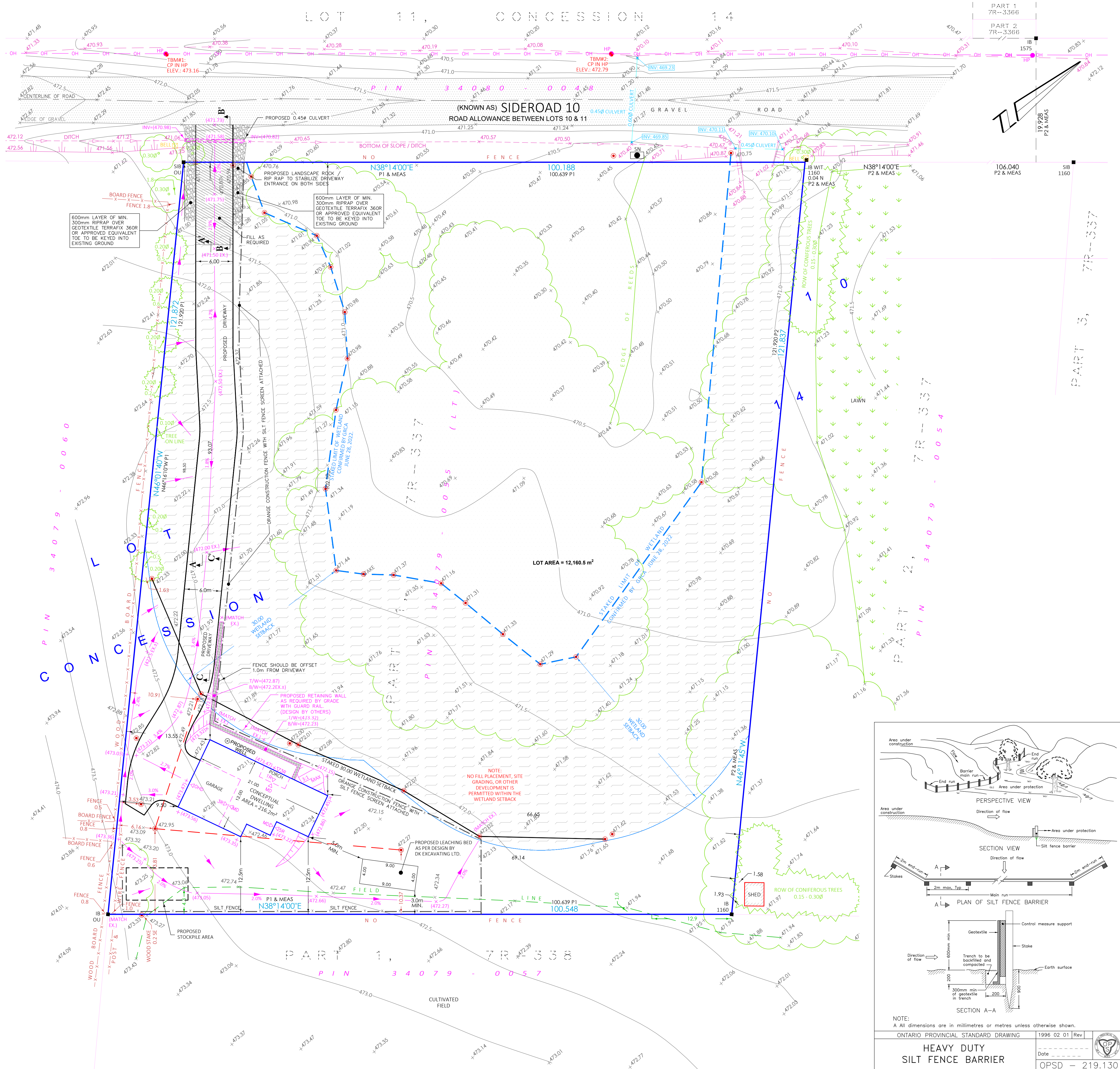
SECTION B-B'
GRAVEL AND OTHER FILL TO BE PLACED TO CREATE ENTRANCE = 67m³±

SECTION C-C'
GRAVEL AND OTHER FILL TO BE PLACED TO CREATE DRIVEWAY = 36m³±

SUMMARY
GROSS IMPORTED FILL IN REGULATED AREA = 237m³±
NET FILL IMPORTED IN REGULATED AREA = 103m³±

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.



PROPERTY DESCRIPTION:

- PART OF PIN 34079-0055 (LT)
- PART OF LOT 10, CONCESSION 14, PART 1, 7R-337
- TOWNSHIP OF EAST GARAFRAXA
- ADDRESS: SIDEROAD 10

ZONING: RURAL RESIDENTIAL (RR)

REQUIRED	PROPOSED
MINIMUM LOT AREA = 1.0 Ha	(1.2 Ha)
MINIMUM LOT FRONTAGE = 60.0 m	(100.2 m)
MINIMUM FRONT YARD = 30.0 m	(93.07 ±)
MINIMUM INTERIOR SIDE YARD = 6.0 m	(9.5 ±)
MINIMUM REAR YARD = 20.0 m	(12.5 m)*
MAXIMUM LOT COVERAGE = 5.0%	(2.0%)

* MINOR VARIANCE REQUIRED.

PROPOSED DWELLING:

TOP OF FOUNDATION	= (473.86)
UNDERSIDE OF FOOTING	= (470.81)
BASEMENT FLOOR	= (471.11)
FINISHED FLOOR	= (474.22)
GARAGE SLAB	= (473.47)
GARAGE CUT	= (0.39)

NOTES:

- ELEVATIONS BASED ON A 9'-4" FOUNDATION WALL, 8" THICK FROSTINGS.
- BUILDER TO ENSURE ADEQUATE FROST PROTECTION FOR FOUNDATION.

SURVEY INFORMATION:

BENCHMARK REFERENCE:
ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CVG228 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HT-2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

TEMPORARY SITE BENCHMARK:
TBM #1: CP IN HYDRO POLE ALONG SIDEROAD 10, WEST OF THE SUBJECT PROPERTY, HAVING AN ELEVATION OF 473.16 METRES.

TBM #2: CP IN HYDRO POLE ALONG SIDEROAD 10, NORTHWEST OF THE SUBJECT PROPERTY, HAVING AN ELEVATION OF 472.79 METRES.

TOPOGRAPHIC SURVEY DATE:

I CERTIFY THAT:

- THE TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 2nd DAY OF AUGUST, 2022.

JAMES M. LAWS
ONTARIO LAND SURVEYOR

CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

- THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SITE PLAN FOR:
PART OF LOT 10
CONCESSION 14
TOWNSHIP OF EAST GARAFRAXA
COUNTY OF DUFFERIN

DRAWING REVISION SCHEDULE			
5	DWELLING / SETBACKS	APR. 28, 2025	
4	GRCA COMMENTS	SEPT. 25, 2024	
3	ADDRESS GRCA COMMENTS	JUNE 25, 2024	
2	REVISED SEWAGE SYSTEM	SEPT. 14, 2023	
1	HOUSE PLANS / SEWAGE ENVELOPE	JUNE 28, 2023	
0	INITIAL SUBMISSION	MAR. 21, 2023	
NO.	REVISION	DATE	

PREPARED FOR: HOMES IN THE HILLS INC.

PROJECT No. 31587-22

DRAWING SCALE 1 : 300



Elmira Ph: 519-669-5070 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: C.E. DESIGNED BY: W.V. CHECKED BY: W.V.

Apr 28, 2025-2:42:17 PM

G:\EAST GARAFRAXA\Con14\acad\SITE PLT10 CON14 (31587-22 HOMES IN THE HILLS INC.) (JTM 2010) - Rev 5.dwg

