

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-50/20  
Location: 18 Central Street  
Hearing Date: January 14, 2021  
Owner: Anthony Lewis  
Agent: N/A  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1B)

**Request:** The applicant is seeking relief from the By-Law requirements to permit

- a) the proposed open, roofed porch to have a maximum projection of 4.52 metres into the required front yard;
- b) the proposed open, roofed porch to have a minimum setback of 1.52 metres from the front lot line; and
- c) the stairs associated with the proposed open, roofed porch to have a minimum setback of 0.09 metres from the front lot line.

**Please note that the requested variance a) for the proposed open, roofed porch to have a maximum projection of 4.52 metres into the front yard originally indicated on the Public Notice is not required.**

**By-Law Requirements:** The By-Law requires:

- a) that for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres [the required front yard is 6 metres];
- b) that for an open, roofed porch not exceeding 1 storey in height the minimum setback from the front lot line is 2 metres; and
- c) that the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.

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## Staff Recommendation

**Approval with Condition**

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## **Recommended Conditions**

### **Engineering Services**

1. That the Owner(s) agrees to install the proposed porch and stairs in accordance with the provided drawings. The proposed porch and stairs must not encroach within the sightline triangle nor the City's right-of-way.
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### **Comments**

#### **Planning Services**

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the City and permits a range of housing types including single detached residential dwellings. The requested variances to accommodate a new open, roofed front porch with stairs meets the general intent and purpose of the residential policies of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended. The applicant is proposing to construct an open, roofed front porch with stairs onto the front of the dwelling. The open, roofed porch will have a setback of 1.52 metres from the front yard property line; whereas, the by-law requires a 2 metre setback from the front property line. Stairs associated with the proposed front porch are proposed to have a 0.09 metre setback from the front property line; whereas the by-law requires that stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.

Staff note that requested variance (a), "the proposed open, roofed porch to have a maximum projection of 4.52 metres into the required front yard" is not required. The property is within Defined Area Map 66, which is the old downtown area and the minimum required front yard is the average of the setbacks of the adjacent properties (approximately 3.8 metres), not the general 6 metre required setback of other R.1B properties. The porch is projecting 2.29 metres into the required 3.8 metre front yard; whereas the by-law permits a maximum projection of 2.4 metres.

The general intent and purpose of the Zoning By-law in requiring a 2 metre setback for open, roofed porches is to provide built form consistency on a streetscape. The proposed porch is in keeping with the character of the streetscape of the older built-up neighbourhood.

The proposed open, roofed porch with steps addition is in suitable proportion and placing on the property which is in the older built-up area of the City and is in keeping with the character of the streetscape.

The requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law, are considered desirable for the development of the land and are considered to be minor in nature.

Staff recommend approval of the application.

## **Engineering Services**

Engineering staff have no concerns with the requested variances, subject to the condition noted above.

We agree with recommendations made by the Planning and Building staff.

## **Building Services**

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to replace the existing uncovered porch at the front of the existing dwelling with an open roofed porch and stairs. Variances from Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services agrees with Planning Services comments and does not object to this application to permit the proposed open, roofed porch to have a minimum setback for 1.52 metres and the associated stairs to have a minimum setback of 0.09 metres.

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

## **Comments from the Public**

Yes (See Attached)

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## **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

TTY: 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)