

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-14/21
Location: 18 Southampton Street
Hearing Date: February 11, 2021
Owner: James Bryson and Jennifer Vanderkooy
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 0.91 metres for the proposed two-storey addition to the existing detached dwelling.

By-Law Requirements: The By-Law requires a minimum side yard setback of 1.5 metres for single detached dwellings of one to two storeys.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That the side yard setback of 0.91 metres apply only to the proposed addition on the right side of the property as shown on the public notice sketch.
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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 variance to permit a two storey addition replacing an existing smaller addition that will have a reduced side yard setback, does not conflict with the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B), according to Zoning By-law (1995)-14864, as amended, which permits a single detached

dwelling. The applicant's proposed construction of a two storey addition will have a side yard setback on the right side (west property line) of the property of 0.91 metres, when the by-law requires a side yard setback of 1.5 metres for the two storey dwelling.

The general intent and purpose of the Zoning By-Law in requiring a side yard setback is to provide adequate separation from buildings on adjacent properties in proportion to the building's height, to maintain access and to allow for proper lot grading and drainage.

The existing dwelling currently has a legal non-complying side yard setback of 0.7 metres on the right side (west) property line. It is noted that the proposed addition is in keeping with the existing setbacks on the property as the proposed addition is setback further from the dwelling's existing legal non-complying right side yard setback. All other setbacks fall within the required building envelope. The rear yard setback is 7.4 metres and maintains adequate private amenity space for the dwelling unit.

The two storey addition is in suitable proportion to the dwelling and is in keeping with the character of the streetscape. It will provide the dwelling with additional floor space of approximately 30 square metres.

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

Planning staff recommend approval of the application subject to the condition noted above.

Engineering Services

Engineering staff have no concerns with the requested right side yard variance to permit the proposed two-storey addition to the existing dwelling to be situated 0.91 metres from the right lot line; it will not have an adverse effect on the right side yard drainage.

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

Building Services

This property is located in a Residential Single Detached (R.1B) Zone. The applicant is proposing to remove the existing three season addition at the rear of the existing dwelling and construct a two-storey 29.7 square metre residential addition. A variance from Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit a minimum right side yard setback of 0.91 metres for the proposed two-storey addition to the existing detached dwelling.

Please note that windows may be restricted in walls located closer than 1.2m to the property lines and the walls may require a fire rating on the inside face. 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

None

Contact Information

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

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa