

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-47/20
Location: 523 Kortright Road West
Hearing Date: February 11, 2021
Owner: George and Debbie Coutts
Agent: Phill McFadden, Sutcliffe Homes & Renovations
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R1.B) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit
a) a minimum front yard setback of 3.25 metres; and
b) a proposed open, roofed porch of one (1) storey in height to project a maximum of 3.63 metres into the required front yard.

By-Law Requirements: The By-Law requires:
a) a minimum front yard setback of 6 metres; and
b) that for an open, roofed porch not exceeding one (1) storey in height the maximum projection into the required front yard is 2.4 metres.

Staff Recommendation

Refusal

Recommended Conditions

Please refer to comments below

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 residential addition 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 a two-storey residential building addition with a floor area of 95.7 square metres together with a new open, roofed front porch with stairs for the purpose of an additional residential dwelling unit.

The City of Guelph passed Official Plan and Zoning Bylaw Amendments on December 14, 2020 for additional residential dwelling units to conform with recent changes to the provincial Planning Act policies and regulations for additional residential units and garden suites, known as Bill 108, More Homes, More Choice Act. Additional residential dwelling units located within the main building are permitted subject to the following requirements (Section 4.15.1.6 of the Zoning By-law):

- a) Cannot exceed 45 per cent of the gross floor area of the building as measured from the interior walls. (all floor levels included)
- b) Interior access is required between floor levels, and between the additional residential dwelling unit and the host dwelling unit.
- c) Maximum of two bedrooms permitted.
- d) Permitted to occupy the whole of the basement.

The addition is proposed in the technical front yard with a front yard setback of 3.25 metres; whereas the by-law requires a 6 metre front yard setback. A 1 storey open, roofed porch is also proposed with the addition that will project 3.63 metres into the required front yard; whereas the by-law permits an open, roofed porch not exceeding one (1) storey in height to have a maximum projection of 2.4 metres into the required front yard.

Staff note that the addition is proposed in what is considered the functional exterior side yard of the property. The required exterior side yard setback on an R.1B zoned lot is also 6 metres when the property is located on existing (or proposed) Arterial and Collector roads. Scottsdale Road is a Collector road as shown on Schedule 5 of the Official Plan. The technical front yard on a corner lot is the shortest of the two lot lengths that abut the street line.

The general intent and purpose of the Zoning By-law relating to front and exterior side yard setbacks is to provide built form consistency on a streetscape. The proposed addition and porch is not in keeping with the consistent setbacks that conform to the Zoning By-law on the streetscape of the built-up neighbourhood. It is important moving forward with the new accessory residential dwelling unit regulations that proposed additions are constructed that respect the character of the neighbourhood by conforming as much as possible to required zoning and not overdeveloping the property.

Planning is of the opinion that the proposed addition with a reduced front yard setback of 3.25 metres together with an open porch that will project 3.63 metres into the required front yard is not minor in nature nor in keeping with the existing built-up development of the surrounding residential neighbourhood; therefore, not desirable development of the property.

Planning staff recommend refusal of the requested variances.

If the application is approved by the Committee, the following condition is recommended:

1. The variances to accommodate the proposed dwelling addition are to be in general accordance with the public notice sketch.

Engineering Services

Engineering staff have no concerns with the requested variances to permit a front yard setback of 3.25 metres and to permit a proposed open, roofed porch of one storey in height to project a maximum of 3.63 metres into the required front yard.

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 construct a two-storey residential building addition with a floor area of 95.7 square metres. Variances from Table 5.1.2 Row 6 and Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services agrees with Planning Services recommendations.

Comments from the Public

Yes (See Attached)

Contact Information

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