

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-23/21  
Location: 17 Golfview Road  
Hearing Date: April 8, 2021  
Owner: Brian Matcheski and Heather Steinhoff  
Agent: Phill McFadden, Sutcliffe Homes Inc.  
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 0.77 metres for the proposed one-storey, single-car attached garage.

**By-Law Requirements:** The By-Law requires a minimum side yard setback of 1.5 metres for 1 to 2 storey dwellings in an R.1B Zone.

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## Staff Recommendation

### Approval with Conditions

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## Recommended Conditions

### Planning Services

1. That the right side yard setback of 0.77 metres apply only to the proposed one-storey garage and dwelling addition as shown on the public notice sketch.

### Engineering Services

2. That prior to issuance of a Building Permit, the Owner(s) shall have a Professional Engineer or Ontario Land Surveyor design a grading and drainage plan for the site, to the satisfaction of the General Manager/City Engineer. Grading must demonstrate that existing drainage patterns are maintained, no run-off is entering adjacent properties and is contained on-site.

### Alectra Utilities

3. That prior to issuance of a building permit, the applicant makes arrangements with the ICI & Layouts Department of Alectra Utilities for the possible relocation of the existing overhead hydro service. This would be at the applicant's expense.
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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 reduced side yard to accommodate a garage addition 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 single detached dwellings. The applicant is proposing a garage and storage room addition to the right side of the dwelling; whereas, Section 5, Residential Zones, Table 5.1.2 Row 7 requires a 1.5 metre side yard setback from the side lot line for a one or two storey single detached dwelling.

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

The existing dwelling was built without a garage or carport and the right side yard is currently used for the legal parking space location. The proposed attached garage will provide the legal parking space for the dwelling. The applicant has been advised that if they require any access to the rear yard that cannot be accommodated by the 0.77 metre setback (such as any type of maintenance to the pool that could require larger equipment), they may need to move the existing shed on the left side of the rear yard to achieve rear yard access.

The requested variance to permit a right side yard setback of 0.77 metres is considered to meet the general intent and purpose of the Official Plan and Zoning By-law, is considered to be desirable for the appropriate 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 has no concerns with the request of seeking relief from the Zoning By-Law requirements to permit a minimum right side yard setback of 0.77 metres for the proposed one-storey, single-car attached garage. Our review revealed that the site is higher than the adjacent property; therefore, the condition noted above is recommended.

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 construct a one-storey, single-car attached garage with a floor area of 32.7 square metres on the right side of the existing detached dwelling. 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 0.77 metres for the proposed one-storey, single-car attached garage.

Please note that windows may be restricted in walls located closer than 1.2 metres 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.

## **Alectra Utilities**

Alectra Utilities has reviewed this application scheduled for the April 8, 2021 hearing and wishes to submit the condition noted above for the Committee's consideration (see attached).

## **Comments from the Public**

None

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## **Contact Information**

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

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