

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-57/21
Location: 204 Liverpool Street
Hearing Date: December 9, 2021
Owner: Melissa and Konstantinos Paliouras
Agent: Kelly Wilson, Volumes of Space
Official Plan Designation: Low Density Residential
Zoning Designation: Residential Single Detached (R.1B) Zone.

By-Law Requirements:

The By-law requires:

- a) that for dwellings located within Defined Area Map Number 66 of Schedule 'A' of the Zoning By-law, a minimum front yard setback of 6 metres or the average of the setbacks of the adjacent properties [being 4.8 metres]; and
- b) a minimum side yard setback of 1.5 metres for 1 to 2 storey dwellings in a R.1B Zone.

Requests:

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

- a) a minimum front yard setback of 3.36 metres for the proposed addition to the front of the existing two-storey detached dwelling; and
- b) a minimum side yard setback of 0.73 metres for the proposed addition to the rear of the existing two-storey detached dwelling.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the proposed 3.36 metre front yard setback apply only to the one-storey enclosed front porch as shown on the public notice sketch; and
2. That the right (west) side yard setback of 0.73 metres apply only to the proposed one-storey rear dwelling addition as shown on the public notice sketch.

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 an addition and renovation of the existing single detached dwelling do 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 two variances to allow for the reconstruction of the enclosed front porch and an addition to the rear of the dwelling:

- a) A minimum front yard setback of 3.36 metres to permit the reconstruction of the existing enclosed one-storey front porch on the existing footprint, whereas Section 5.1.2.7 i) of Zoning By-law (1995)-14864, as amended, states "Despite Row 6 of Table 5.1.2, the minimum Front or Exterior Side Yard for dwellings located within Defined Area Map Number 66 of Schedule "A" of this By-law, shall be:
 - i) The minimum Front Yard or Exterior Side Yard shall be 6 metres or the average of the Setbacks of the adjacent properties"; and
- b) A minimum right (west) side yard setback of 0.73 metres for the proposed 10.4 square metre, one-storey addition to the rear of the existing two-storey detached dwelling, whereas Table 5.1.2 Row 7 of Zoning Bylaw (1995)-14864, as amended, requires a minimum side yard setback of 1.5 metres for a 1 to 2 storey dwelling.

The general intent and purpose of the Zoning By-law in requiring front yard setbacks is to allow for a consistent streetscape. In the older downtown areas, the average of the front yard setbacks on adjacent properties is calculated to determine front yard setbacks where older dwellings were historically built closer to the street line.

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.

Though the reconstruction of the enclosed one-storey front porch is to be rebuilt on its existing footprint, it is not proposed to be built back to its identical existing built form so it loses the legal non-complying front yard setback status which triggers the minor variance request. The location of the door and the pitch of the roof is proposed to change on the reconstructed enclosed front porch. The proposed one-storey addition to the rear of the dwelling matches the existing legal non-complying westerly (right) side yard setback of the two-storey dwelling.

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.

Planning staff recommend approval of the application subject to the recommended conditions.

Heritage Planning

This property is not listed on the City's Municipal Register of Cultural Heritage Properties. It is not designated under part IV of the Ontario Heritage Act. The property is adjacent to a listed building at 206 Liverpool. The alterations to the existing porch do not alter the existing footprint nor significantly alter the existing heritage character. It is recommended that the front door be relocated from the proposed location at the centre of the porch, back to its original location which was to the side of the front of the porch. This is to maintain the original architectural style. However, this is not required. The addition in the rear of the house does not impact the adjacent listed building and is not out of character for the architectural style.

Engineering Services

Engineering has no concerns with the requested variances.

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

Building Services

The applicant is seeking variance approval to permit:

- a) a minimum front yard setback of 3.36 metres for the proposed addition to the front of the existing two-storey detached dwelling; and
- b) a minimum side yard setback of 0.73 metres for the proposed addition to the rear of the existing two-storey detached dwelling.

Building Services notes that no windows are proposed in the addition in the side yard seeking the reduced setback. Building Services does not object to this application.

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