

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-95/19
Location: 169 Gosling Gardens
Hearing Date: February 13, 2020
(Deferred from November 14, 2019 hearing)
Owner: Lakhvir Johal and Sukhwinder Johal
Agent: Jeff Buisman, Van Harten Surveying Inc.
Official Plan Designation: Low Density Residential
Zoning: Specialized Residential Single Detached (R.1C-10)

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

- a) the proposed exterior stairs to be located 0.11 metres from the right side lot line; and
- b) the existing concrete walkway in the front yard adjacent to the right side of the existing driveway to be located 0.11 metres from the right side lot line.

By-Law Requirements: The By-Law requires:

- a) that exterior stairs have a minimum side yard setback of 0.6 metres from the lot line; and
 - b) that a minimum area of 0.5 metres between the residential driveway and nearest lot line must be maintained as landscaped open space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.
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Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the variances only apply to the right side lot line as shown on the Public Notice sketch.
 2. That the existing concrete walkway shall not be expanded beyond what is shown on the Public Notice sketch.
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Comments

Planning Services

The subject application was deferred at the November 14, 2019 hearing to allow the applicant time to amend the variance application to include an additional variance.

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single detached residential dwellings. The requested variances meet the general intent and purpose of the Official Plan.

The subject property is zoned "Specialized Residential Single Detached" (R.1C-10) according to Zoning By-law (1995)-14864, as amended. The applicant is proposing to maintain the existing concrete walkway on the right side of the driveway. The applicant is also proposing to construct a concrete walkway along the right side of the existing dwelling leading to the proposed exterior stairs. The purpose of the exterior stairs is to create a separate access for an existing accessory apartment located in the basement of the dwelling. Two variances are required to facilitate this proposal.

The first variance requested is to permit the exterior stairs to be located 0.11 metres from the right side lot line, whereas Table 4.7, Row 12 requires exterior stairs to be setback a minimum of 0.6 metres from the side lot line. The general intent and purpose of maintaining side yard setbacks is to ensure that there is an appropriate separation between the building and property lot line, to accommodate appropriate side/rear yard access, and for drainage if required. Based on the concept plan submitted with the application, there is adequate room on the other side of the dwelling for rear yard access and Engineering staff have confirmed they do not have concerns relating to grading and drainage as a result of this variance. The requested variance is considered to meet the general intent and purpose of the Zoning By-law, is considered to be desirable for the appropriate development of the land and is considered to be minor in nature.

The second variance requested is to permit the existing concrete walkway in the front yard adjacent to the right side of the existing driveway to be located 0.11 metres from the right side lot line, whereas Table 5.1.2, Row 12 requires that a minimum of 0.5 metres between the residential driveway and nearest lot line must be maintained as landscaped open space. The general intent and purpose of this regulation is to ensure there is adequate space to accommodate grading and drainage between properties. The concrete walkway does not span the entire length of the driveway and Engineering staff do not have concerns with grading and drainage as a result of this walkway. Staff are recommending a condition to ensure that the walkway is not extended to the length of the driveway. The requested variance is considered to meet the general intent and purpose of the Zoning By-law, is considered to be appropriate for the development of the land and is also considered to be minor in nature.

The requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law, are considered desirable for the appropriate development of the land and are 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 request of seeking relief from the By-law requirements to permit the proposed exterior stairs to be located 0.11 metres from the right side lot line and the existing concrete walkway in the front yard adjacent to the right side of the existing driveway to be located 0.11 metres from the right side lot line.

We agree with recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Specialized Residential Single Detached (R.1C-10) Single Detached Residential. The applicant is seeking relief to permit:

- a) exterior stairs to be 0.11 metres from the side lot line; and
- b) a concrete walkway beside the driveway to be 0.11 metres from the side lot line.

General concerns related to the two variances are in regards to grading/drainage and access. Building Services is supportive of the comments provided by Planning and Engineering and agree with the recommendation of approval.

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

Facsimile: 519-763-1269