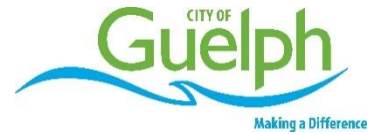


# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-98/19  
Location: 26 Woodycrest Drive  
Hearing Date: February 13, 2020  
(Deferred from December 12, 2019 hearing)  
Owner: 2254102 Ontario Limited  
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 the required parking space to be located to the front of the front wall of the existing dwelling.

**By-Law Requirements:** The By-Law requires that in a R.1 Zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

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## Staff Recommendation

### Approval with Condition

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## Recommended Condition

### Planning Services

1. That the variance to allow the legal parking space to be located in front of the front wall of the existing dwelling shall only apply to the property for as long as the existing built form of the lands as shown on the Lot Plan sketch remains unchanged.
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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 permits a range of housing types including single detached dwellings with accessory apartments. The requested variance meets 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. An accessory apartment is also a permitted use in the R.1B zone, subject to meeting the requirements of Section 4.15.1 of the Zoning By-law. Required parking in the R.1 Zones shall be located a minimum distance of 6 metres from the Street Line and to the rear of the front wall of the main building. Dwellings with accessory apartments require 2 parking spaces. The applicant is requesting permission to locate the required parking space to the front of the front wall of the dwelling to allow the conversion of the existing garage into living space, to create a two bedroom accessory apartment in the basement.

The general intent purpose of the Zoning By-law in requiring parking to the rear of the front wall of the main building is to ensure there is sufficient parking on the property without encroaching onto the City's right-of-way. The existing dwelling is constructed in such a way that the garage is located at grade, in the basement. There is a decorative arched entrance, which projects approximately 2 metres in front of the garage door and supports a front porch on the main level of the bungalow. The arched entry to the garage makes it difficult for anything but a small, compact car to access the interior of the garage.

The house is setback to the rear of the lot and the existing driveway is approximately 23 metres long from the front face of the dwelling to the edge of the street pavement. Based on neighbouring surveys, the City's right-of-way is setback 3 metres from the edge of the street pavement, which makes a driveway length of 20 metres on the subject property. This provides 2 parking spaces for the dwelling located more than 6 metres from the street line (as the by-law requires) together with a third parking space on the driveway. Note that the zoning by-law requires a minimum exterior residential parking space dimension in the R.1 Zone of 2.5 metres by 5.5 metres.

The driveway is located to the side of the property where the side yard has downwards sloping topography and mature evergreen trees. Any modifications to create a parking area in the side yard of the property where the driveway is located would at a minimum require a retaining wall and the removal of 5 or 6 mature trees.

Given the unique constraints and existing conditions of the property as identified above, Planning Staff are in support of the application subject to a condition that will ensure any future redevelopment of the property or additions to the front of the dwelling will require the legal parking space to be re-established. 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 has no concerns with request of seeking relief from the By-law requirements to permit the required parking space to be located to the front of the front wall of the existing dwelling.

We agree with recommendations made by Planning and Building staff.

## **Building Services**

The subject property is zoned R.1B residential. The applicant is seeking a variance to remove the legal off street parking space in favour of finished floor space.

Building Services agrees with the recommendation of approval for this application as there is ample parking in the driveway and two spaces are required for an accessory apartment (which are still being provided).

## **Comments from the Public**

None

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## **Contact Information**

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

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)

**Facsimile:** 519-763-1269