

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-13/23
Location: 79 Renfield Street
Hearing Date: March 9, 2023
Owner: Monte Ferraro
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning Designation: Residential Single Detached (R.1B) Zone

By-Law Requirements: The By-Law requires that an accessory building or structure may not occupy more than 30% of a yard, other than a front or required exterior side yard.

Request: The applicant is seeking relief from the By-Law requirements to permit the proposed accessory building (detached garage) to occupy a maximum of 50% of the right side yard of the subject property.

Please note that the original application has been revised by the applicant to adjust the height of the proposed accessory building. A revised application is attached.

Staff Recommendation

Approval

Comments

Planning Services

The subject property is designated "Low Density Residential" in the 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 conforms to the general intent and purpose of the Official Plan as residential uses including accessory structures are permitted.

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 detached garage that occupies a maximum of 50% of the right side yard of the subject property, whereas Section 4.5.1.1 of the Zoning By-law requires that an

accessory building or structure does not occupy more than 30% of a yard. The general intent and purpose of this zoning regulation is to ensure that the accessory building or structure remains accessory and subordinate to the main use on the property and to ensure sufficient outdoor amenity area remains. The subject property exceeds the minimum lot area requirement in the Zoning By-law and can adequately accommodate a detached structure that occupies 50% of the side yard without impacting outdoor amenity area or required setbacks. The requested variance conforms to the general intent and purpose of the Zoning By-law.

The applicant has indicated that the location of the proposed detached garage can not be moved further back due to an existing hydro vault easement with buried cable that restricts the foundation or slab placement. The requested variance is considered to be both desirable for the appropriate development of the land and minor in nature.

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 variance.

Engineering Services

Engineering has no concerns with the applicant's request for seeking relief from the By-Law requirements to permit the proposed accessory building (detached garage) to occupy a maximum of 50% of the right side yard of the subject property.

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

Building Services

The subject property is in the Residential Single Detached (R.1B) Zone which permits a single detached dwelling. The applicant is proposing to construct a detached accessory building (garage) in the side yard and requires a variance to permit the accessory building to occupy 50% of the right side yard, as the zoning by-law states that accessory buildings may not occupy more than 30% of a yard, other than a front or required exterior side yard. The maximum height of accessory buildings is 3.6 metres and requires a minimum setback of 0.6 metres to the lot line. Height is measured from grade to the midpoint of the roofline.

The applicant is to be aware that the maximum driveway width permitted in the R.1B Zone is 6.5 metres. The site sketch shows a proposed driveway width close to the 6.7 metre width of the garage.

Note that a building permit will be required prior to construction, at which time requirements under the Ontario Building Code will be reviewed.

Building Services has no concerns with the application and supports Planning and Engineering recommendations.

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