

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-40/23
Location: 3 King Street
Hearing Date: July 13, 2023
Owner: David Bartman and Cheryl McGowan
Agent: Lloyd Grinham and Caroline Prochazka, Grinham Architects
Official Plan Designation: Low Density Residential
Zoning Designation (1995)-14864: Residential Single Detached (R.1B) Zone
Zoning Designation (2023)-20790: Low Density Residential 1 (RL.1) Zone

Zoning By-Law (1995)-14864 Requirements:

The By-law requires a minimum side yard setback of 1.5 metres in the R.1B Zone.

Zoning By-Law (2023)-20790 Requirements:

The By-law requires a minimum interior side yard of 1.5 in the RL.1 Zone.

Request:

The applicant is seeking relief from the requirements of both By-Laws to permit a minimum left side yard setback of 0.85 metres for the proposed conversion of the existing attached garage into living space.

Staff Recommendation

Approval

Comments

Planning Services

The subject lands are designated as "Low Density Residential" in the Official Plan. The "Low Density Residential" land use designation applies to residential areas within built-up areas of the City and permits a range of housing types including single detached dwellings. The requested variance will facilitate the conversion of the existing attached garage in the rear of the dwelling into living space. The requested variance is considered to meet the general intent and purpose of the Official Plan.

The subject lands are zoned "Residential Single Detached" (R.1B) according to By-law (1995)-14864, as amended; and are zoned "Low Density Residential 1" (RL.1) in the Comprehensive Zoning By-law passed by Council on April 18th, 2023. The existing attached garage has a legal non-conforming side yard setback of 1 metre. The proposed conversion of the attached garage into living space will result in a 0.85 metre side yard setback, the difference accounting for new insulation and siding.

The requested variance is to permit a minimum side yard setback of 0.85 metre for the conversion of the existing attached garage to living space, whereas Table 5.1.2 Row 7 of the 1995 Zoning By-law requires a side yard setback of 1.5 metres and Table 6.3 of the 2023 Comprehensive Zoning By-law requires a minimum interior side yard setback of 1.5 metres. The intent of these provisions is to ensure adequate separation between dwellings on residential lots. The existing attached garage has a legal non-conforming side yard setback of 1 metre. The proposed side yard setback of 0.85 metres maintains the general building footprint of the attached garage but projects an additional 0.15 metres for increased wall thickness accounting for new insulation and siding. Staff are satisfied that the requested variance meets the general intent of both the 1995 Zoning By-law and the 2023 Comprehensive Zoning By-law.

The requested variance would facilitate the conversion of the attached garage into living space, having little impact on the streetscape and neighbouring properties. The general building footprint will be maintained, with an increased wall thickness of the attached garage area to account for new insulation and siding. The converted living space will be used by the existing single dwelling, not for an Additional Residential Dwelling Unit. Staff are satisfied that the requested variance is desirable for the appropriate development of the land and minor in nature.

The requested variance meets the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the appropriate development of the land and are minor in nature.

Staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the requested variance seeking relief from the requirements of both By-laws to permit a minimum left-side yard setback of 0.85 metres for the proposed conversion of the existing attached garage into living space.

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

Building Services

The subject property is zoned Residential Single Detached (R.1B) under Zoning By-law (1995)-14864, as amended and Low Density Residential 1 (RL.1) under council approved Comprehensive Zoning By-law (2023)-2079, as amended. Both zones permit a single detached dwelling. The applicant is proposing to convert the existing

attached garage at the rear of the building to living space. The legal parking behind the front face of the dwelling is being maintained.

Note that a building permit is required prior to any construction/alterations, at which time requirements under the Ontario Building Code will be reviewed. New, unprotected openings are not permitted closer than 1.2 metres to the property line and the building requires fire resistance ratings that meet the requirements of the OBC.

Building Services supports Planning and Engineering recommendations.

Comments from the Public

Yes (See Attached)

Contact Information

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