

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-42/23
Location: 31 Suffolk Street West
Hearing Date: July 13, 2023
Owner: Murray Short
Agent: Lloyd Grinham, 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 1.05 metres for the proposed second storey addition to the rear of the existing dwelling.

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 the built-up area of the City and permits a range of housing types including single detached dwellings. The requested variance will facilitate the construction of a second storey addition in the rear of the existing single detached dwelling, directly on top of an existing single storey rear addition. 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 single storey rear addition on the dwelling has a legal non-conforming left side yard setback of 1.05 metres. The proposed second storey rear addition will be located directly above and be supported by the existing single storey addition, maintaining the 1.05 metre setback from the side lot line.

The requested variance is to permit a minimum side yard setback of 1.05 metres for the proposed second storey addition, 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 proposed addition maintains the existing legal non-conforming side yard setback of 1.05 metres and will not be any closer to the side lot line than what is currently existing. 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 a second storey addition in the rear of an existing dwelling, having little impact on the streetscape and neighbouring properties. The footprint of the existing dwelling would remain the same. Additionally, the proposed addition maintains the existing legal non-conforming side yard setback of 1.05 metres and will not be any closer to the side lot line than what is currently existing. The requested variance is considered to be desirable for the appropriate development of the land and is 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 1.05 metres for the proposed second-storey addition to the rear of the existing dwelling.

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 a second storey addition at the rear of the building with a 1.05m setback.

Note that a building permit is required prior to any construction, 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 has no concerns with the application and supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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