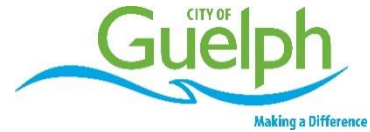


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-48/23
Location: 2 Amsterdam Crescent
Hearing Date: August 10, 2023
Owner: John and Sharon Porter
Agent: Shawn Sawatzky
Official Plan Designation: Low Density Residential
Zoning Designation (1995)-14864: Residential Single Detached (R.1D) Zone
Zoning Designation (2023)-20790: Low Density Residential 2 (RL.2) Zone

Zoning By-Law (1995)-14864 Requirements:

The By-law requires a minimum rear yard of 7.5 metres, or 20 percent of the lot depth [being 6.4 metres], whichever is less, for a property located in the R.1D Zone.

Zoning By-Law (2023)-20790 Requirements:

The By-law requires a minimum rear yard of 7.5 metres, or 20 percent of the lot depth [being 6.4 metres], whichever is less, for a property located in the RL.2 Zone.

Request:

The applicant is seeking relief from the requirements of both By-Laws to permit a minimum rear yard of 5.65 metres for the proposed rear yard addition (sunroom) to the existing detached dwelling.

Staff Recommendation

Approval

Comments

Planning Services

The subject property is 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 a rear yard addition of a sunroom on the existing single detached dwelling. The requested variance is considered to meet the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1D) according to Zoning By-law (1995)-14864, as amended; and is zoned "Low Density Residential 2" (RL.2) in Zoning By-law (2023)-20790, as amended. The requested variance is to permit a rear yard addition of a sunroom with a rear yard setback of 5.65 metres. Table 5.1.2, Row 8 of Zoning By-law (1995)-14864, as amended, requires a rear yard setback of 7.5 metres or 20 percent of lot depth (being 6.4 metres), whichever is less. Table 6.3 of Zoning By-law (2023)-20790, as amended, similarly requires a rear yard setback of 7.5 metres or 20% of lot depth (being 6.4 metres), whichever is less.

The general intent and purpose of the Zoning By-law relating to rear yard setbacks is to maintain a rear yard amenity area and to ensure the property is not over-developed. The size of the rear yard amenity area will not be significantly impacted by the addition of the sunroom. There will still be adequate room remaining for the enjoyment of the amenity area for the residents. The addition of the sunroom will not significantly increase the footprint of the building and is located in the rear yard, therefore not resulting in any appearance of over-development. The requested variance is considered to meet the general intent and purpose of both the 1995 Zoning By-law and the 2023 Comprehensive Zoning By-law.

The requested variance will facilitate the construction of an addition of a 40.6 square metre sunroom in the rear of an existing dwelling, having little impact on the streetscape and neighbouring properties. The proposed addition is consistent with the existing character of the established neighbourhood. The requested variance is desirable for the appropriate development of the land and is minor in nature.

The requested variances meet 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 Zoning By-laws to permit a minimum rear yard of 5.65 metres for the proposed rear yard addition (sunroom) to the existing detached dwelling.

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

Building Services

The subject property is zoned Residential Single Detached (R.1D) under Zoning By-law (1995)-14864, as amended and Low Density Residential 2 (RL.2) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. Both zones permit a single detached dwelling. The applicant proposing a one storey sunroom

addition to the rear of the dwelling. Both zoning by-laws require a minimum rear yard of 7.5 metres, or 20 percent of the lot depth. The required rear yard for this property is 6.4 metres and the applicant is proposing a 5.7m rear yard.

A building permit is required prior to any construction of the addition, at which time requirements under the Ontario Building Code will be reviewed. Building Services notes for the applicant that new, unprotected openings are not permitted closer than 1.2 metres to the property line and the addition with a 0.6 metre setback to the property line requires a fire resistance rating of not less than 45 minutes.

Building Services supports Planning and Engineering recommendations.

Comments from the Public

Yes (see attached)

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