

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-61/23
Location: 10 Graham Street
Hearing Date: September 14, 2023
Owner: Laurent Cellarier and Woohee Lyu
Agent: Adrian Vanderwoerd, Vanderwoerd Drafting and Design
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 that the minimum rear yard setback be 7.5 metres, or 20% of the lot depth [6.09 metres], whichever is less, for a property located in the R.1B Zone.

Zoning By-Law (2023)-20790 Requirements:

The By-law requires the minimum rear yard setback be 7.5 metres, or 20% of the lot depth [6.09 metres], whichever is less, for a property located in the RL.1 Zone.

Request:

The applicant is seeking relief from the requirements of both By-Laws to permit a minimum rear yard setback of 3.24 metres for the proposed attached garage.

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 broad range of housing types, including single detached dwellings. The requested variances will facilitate the

construction of an addition, including an attached garage to the existing single detached dwelling which is a permissible use in the Official Plan. The requested variances are considered to meet 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; and is zoned "Low Density Residential 1" (RL.1) in Zoning By-law (2023)-20790, as amended. Variances to both By-laws are required to permit the construction of an addition, including an attached garage with a rear yard setback of 3.24 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% of lot depth (being 6.09 metres), whichever is less. Table 6.3(d) of Zoning By-law (2023)-20790, as amended, similarly requires a rear yard setback of 7.5 metres or 20% of the lot depth (being 6.09 metres), whichever is less.

The general intent and purpose of regulations in 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, as it will replace an existing detached garage with a similar building footprint. The requested variances are considered to meet the general intent and purpose of both the 1995 Zoning By-law and the 2023 Comprehensive Zoning By-law.

The requested variances will facilitate the construction of an addition, including an attached garage, to the rear of the existing dwelling, having little impact on the streetscape and neighbouring properties. The requested variances are desirable for the appropriate development of the land and are 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 Zoning By-law (1995)-14864, as amended, to permit reduced rear yard setback for proposed attached garage.

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. The applicant is proposing an addition and the proposed single storey stacked double garage portion of the addition requires a rear yard setback variance from the required 6.09 m to the requested 3.24 m.

Building Services notes that a Building permit will be required for the construction of the addition, at which time requirements under the Ontario Building Code will be reviewed.

Building Services supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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