

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-77/23
Location: 127 Glasgow Street North
Hearing Date: November 9, 2023
Owner: Paula Chidwick and Kevin Staunton
Agent: Maureen Fyfe, Inspired Design and Tom Keating, Keating Construction
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) a maximum projection into the front yard of 3 metres for an uncovered porch above 1.2 metres to a maximum height not exceeding the main floor/entry level; and
- b) a minimum setback from the front yard lot line of 0.8 metres for an uncovered porch above 1.2 metres to a maximum height not exceeding the main floor/entry level.

Zoning By-Law (2023)-20790 Requirements:

The By-law requires:

- a) a maximum projection into the front yard of 3 metres for an uncovered porch not more than 1.2 metres above finished grade; and
- b) a 0.8 metre setback from the front lot line for an uncovered porch not more than 1.2 metres above finished grade.

Request: The applicant is seeking relief from the requirements of both By-laws to permit:

- a) a maximum projection into the front yard of 4 metres for the proposed front porch addition and exterior stairs; and
 - b) a minimum setback from the front lot line of 0.3 metres for the proposed front porch addition and exterior stairs.
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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 an uncovered extension of an existing open, roofed front porch and stairs of a single detached dwelling. 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. The applicant is proposing an uncovered extension of the existing open, roofed front porch and stairs on the subject property. Two variances to the 1995 Zoning By-law and to the 2023 Zoning By-law are required to facilitate the proposal.

Variance A

The applicant is requesting a variance to permit a maximum projection of 4 metres into the front yard for an uncovered porch above 1.2 metres to a maximum height not exceeding the main floor/entry level. Table 4.7 Row 2 of Zoning By-law (1995)-14864 requires a maximum projection of 3 metres into the front yard for an uncovered porch above 1.2 metres to a maximum height not exceeding the main floor/entry level. Table 4.7.6 of Zoning By-law (2023)-20790 requires a similar projection of 3 metres for an uncovered porch not more than 1.2 metres above average grade.

The general intent and purpose of both Zoning By-laws relating to maximum porch projection is to allow for a consistent streetscape and to protect the public right-of-way. The subject property is located in an older built-up area of the City, where dwellings are historically built closer to the street. It is of Planning staff's opinion that the proposed front porch addition will contribute to a consistent streetscape due to the location of the property in an older built-up area of the City. Additionally, the proposed front porch addition will be located approximately 7.1 metres from the public sidewalk, having adequate room that allows for the protection of the public right-of-way. The requested variances are considered to meet the general intent and purpose of both Zoning By-laws.

The proposed uncovered addition to an existing open, roofed front porch would allow for a larger outdoor porch space for the residents to enjoy. The proposed front porch addition will not impede any sight line triangles on the property. Additionally, the proposed front porch addition is compatible with the character of

the neighbourhood. The requested variances are considered to be minor in nature and appropriate for the development of the lands.

Staff recommend approval of variance A.

Variance B

The applicant is requesting a variance to permit a minimum 0.3 metre setback from the front yard lot line for the proposed front porch addition and exterior stairs whereas Table 4.7 Row 2 of the 1995 Zoning By-law and Table 4.7.6 of the 2023 Zoning By-law requires a minimum 0.8 metre setback.

The general intent and purpose of both Zoning By-laws related to front yard setbacks is to allow for a consistent streetscape, to ensure area for possible landscaping and to ensure the protection of the public right-of-way. The subject lands are within an older built-up area of the City, where front yard setbacks are calculated by determining the average front yard setback of adjacent properties. Historically, the dwellings in older built-up neighbourhoods are built closer to the street. The existing dwelling has a front yard setback to the lot line of approximately 4.3 metres. The proposed setback is considered to be consistent with the existing streetscape. Additionally, there is an approximate 7.1 metre City-owned right-of-way between the property line and the sidewalk which allows for adequate room for landscaping while having little to no impact on the public right-of-way. The requested variances are considered to meet the general intent and purpose of the Zoning By-law.

The proposed uncovered addition to an existing open, roofed front porch would allow for a larger outdoor porch space for the residents to enjoy. It is of staff's opinion that the proposed front yard setback and porch projection is compatible with the character of the surrounding neighbourhood where houses are built closer to the street on average. The porch addition will not impact sight line triangles on the site. The requested variances are considered to be minor in nature and appropriate development for the land.

Staff recommend approval of variance B.

The subject property is less than 0.2 hectares in size and therefore not regulated by the Private Tree Bylaw. Issuance of a Tree Permit from Planning Services is not required.

However, there are two City owned trees fronting Glasgow Street that may be impacted by the proposed. Consistent with the Official Plan, trees and shrubs that are within the City's right-of-way need to be appropriately considered and protected during any type of construction/works within the dripline. Protection must be optimized as injury or destroying such a tree may not be granted by the City. Any proposal to injure or destroy a tree must be accompanied by a Tree Inventory and Preservation Plan, to the satisfaction of the General Manager of Parks. Please contact Timea Filer, Forestry Technologist at (519) 822-1260 x3352.

Requested variances A and B are considered to meet the general intent and purpose of the Official Plan, the general intent and purpose of the Zoning By-law,

are minor in nature, and are desirable for the appropriate development of the lands.

Staff recommend approval of the application.

Heritage Planning

The subject property is listed on the Municipal Register of Cultural Heritage Properties and is considered a built heritage resource in the City of Guelph. While heritage staff do not have any concerns with the requested variance, we advise the applicant to consider a design that would compliment the neo-classical style of the existing porch. We also recommend that rather than a stone veneer, the applicants consider materials that are compatible with the house, such as wood and brick.

Engineering Services

Engineering has no concerns with the requested variance. 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 an uncovered front porch addition that projects 4 metres into the required front yard with a minimum setback of 0.3 m from the front lot line.

The applicant shall be aware the 2023 CZBL has new regulations for front walkways. Section 5.11.3 (b) does permit a surface walkway from the driveway to the front door, but it is to be within 1.5 metres of the nearest foundation and it is not to be used for parking. The proposed walkway on the site plan is adjacent to the driveway and does not appear to meet this zoning requirement of the 2023 CZBL. Any walkway adjacent to the driveway is included in the maximum driveway width.

A building permit is required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

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

Comments from the Public

None

Contact Information

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