

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number:	A-86/23
Location:	35 Hillcrest Drive
Hearing Date:	December 14, 2023
Owner:	Paul Sixsmith and Helen McAuliffe
Agent:	Lloyd Grinham, L. Alan Grinham Architect Inc.
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:

Variances from Table 5.1.2 Row 6, Section 5.1.2.7 i), and Section 5.1.2.4 of Zoning By-law (1995)-14864, as amended, are being requested. The By-law requires:

- a) that for dwellings located within Defined Area Map Number 66 of Schedule "A" of the By-law, a minimum front yard setback of 6 metres or the average of the setbacks of the adjacent properties [being 5.15 metres]; and
- b) that buildings or structures located on through lots shall have a setback the same as the nearest adjacent main building [being 17.44 metres].

Zoning By-Law (2023)-20790 Requirements:

Variances from Table 6.3 of Zoning By-law (2023)-20790, as amended, are being requested. The By-law requires:

- a) that for lots within the Older Built-Up Area Overlay, a minimum front yard setback is the average of the established setbacks of the immediately adjacent lots; and
- b) that where buildings or structures are located on a through lot, the setback shall be a minimum of the average of the setbacks of the adjacent properties [being 16.56 metres].

Request:

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

- a) a minimum front yard setback of 4.67 metres for the proposed addition to the front of the existing dwelling; and
- b) a minimum rear yard setback of 2.146 metres for the proposed additions at the rear of the existing dwelling.

Staff Recommendation

Deferral

Comments

Planning Services

The applicant is requesting a minor variance to permit a reduced minimum front yard setback to the Hillcrest Drive frontage of 4.67 metres to allow for a small addition and covered porch, where a front yard setback of 5.15 metres is required. The application also requests a reduced setback of 2.14 metres to the lot line abutting the Grove Street frontage to allow for an addition that would include an enclosed swimming pool.

Staff have concerns with the proposed 2.14 metre setback for the enclosed swimming pool area. In response to this the applicant and their agent have indicated a willingness to revise their proposal to reduce the impact of the proposed addition on Grove Street. As such, staff recommend deferral of the application to allow time for staff to work with the applicant on a revision of proposal for addition 2 and 3 as labeled on the applicant's site plan.

Should the Committee desire to approve the application, it is recommended that the following condition be included:

1. That the addition be constructed in general accordance with the site plan and elevation sketches included in the public notice.

Planning staff concur with comments provided by engineering and building staff.

Engineering Services

Engineering has reviewed the requested variances and notes the following:

Records indicate that the storm lateral and water service are serviced from Hillcrest Drive, and the sanitary lateral is serviced from Grove Street. Some building elements proposed under this application may conflict with the location of some of the existing services.

The Surveyor's Real Property Report submitted as part of the application demonstrates that some surface water is directed to adjacent properties under existing conditions.

The application proposes to significantly increase the percentage impervious of the property.

It is understood that the applicant is in discussion with City staff and have indicated a willingness to revise their proposal. As such, Engineering recommends deferral of this application to allow time for staff to work with the applicant on a revision.

Should the Committee desire to approve the application, it is recommended that conditions be included to require the following plans and report, to the satisfaction of the General Manager/City Engineer, prior to issuance of building permit:

1. Site Servicing Plan
2. Grading and Drainage Plan (post-development conditions)
3. Stormwater Management Report

Building Services

The subject property is zoned Specialized Residential Semi-Detached/Duplex (R.2-31) under Zoning By-law (1995)-14864, as amended and Low Density Residential 1 (RL.2) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. Both zones permit a semi-detached dwelling.

The applicant is proposing an addition but has requested deferral to update the proposal. Building staff has no objections to defer the application.

Comments from the Public

None

Contact Information

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