

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-15/20
Location: 9 Arthur Street North
Hearing Date: March 12, 2020
Owner: 2725586 Ontario Inc.
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit a minimum exterior side yard of 1.8 metres (along Rose Street) for the proposed addition to the existing dwelling.

By-Law Requirements: The By-Law requires a minimum exterior side yard of 6 metres.

Staff Recommendation

Approval

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single detached residential dwellings. The requested variance meets 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, which permits a single detached dwelling.

The applicant is requesting a variance to the exterior side yard setback to permit an addition to the existing dwelling. The general intent and purpose of the Zoning By-Law in requiring an exterior side yard setback is to ensure there is adequate

distance between the dwelling and the right-of-way for any road widening and visual consistency in streetscape setbacks. The proposed addition, located in the front yard, is in line with the existing dwelling and will have an exterior side yard setback of 1.81 metres at the point where the proposed addition attaches to the dwelling and a setback of 2.19 metres at the front corner of the addition, as shown on the site plan sketch. The existing dwelling has a minimum exterior side yard setback of 0.79 metres.

The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the development of the land and is considered to be minor in nature. Planning staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a minimum exterior side yard of 1.8 metres (along Rose Street) for the proposed addition to the existing dwelling.

We agree with recommendations made by Planning and Building staff.

Building Services

The property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to construct a 42 square metre one storey addition to the existing dwelling. The applicant is also proposing to enlarge the existing driveway to a maximum width of 6.1 metres. A variance from Table 5.1.2 Row 6a and Section 5.1.2.7 i) of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit a minimum exterior side yard of 1.8 metres (along Rose Street) for the proposed addition to the existing dwelling.

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

Grand River Conservation Authority (GRCA)

The GRCA has no objection to the minor variance. See attached plan review report.

Comments from the Public

None

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

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PLAN REVIEW REPORT:

City of Guelph, Committee of Adjustment
Trista Di Lullo, Secretary-Treasurer

DATE: February 27, 2020

YOUR FILE: A-15/20

RE: **Application for Minor Variance A-15/20**
9 Arthur Street, City of Guelph

GRCA COMMENT:

The Grand River Conservation Authority (GRCA) has no objection to the minor variance application.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property contains floodplain (fringe) and areas adjacent this feature. This reach of floodplain is within a Two-Zone Floodplain Policy Area.

2. Legislative/Policy Requirements and Implications:

It is our understanding that the purpose of this minor variance application is to gain relief from the required setbacks for the proposed addition to the existing dwelling. The GRCA has reviewed the submitted site plan and have determined the proposed addition is located outside the GRCA's regulated. As such, GRCA staff do not anticipate any negative impacts to the natural hazard feature as a result of this application.

Due to the feature noted above, a portion of subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Any development within the regulated area will require prior approval for the GRCA in the form of a permit. Please be advised that any development within the flood fringe on this property must conform to the GRCA Two-Zone Floodplain Policies and the Two-Zone Floodplain Policies outlined in the City of Guelph Official Plan.

From the drawings provided, the proposed addition to the existing dwelling and parking expansion are outside of the GRCA's regulated area. As such, a permit will not be required.

3. Additional Information/Suggestions provided in an advisory capacity:

A "minor" minor variance application review fee is required for our review of this application. The applicant will be invoiced in the amount of \$270.00.

We trust the above information is of assistance. Should you have any further questions, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ashley Rye', with a stylized flourish at the end.

Ashley Rye
Resource Planner
*AR/js

Encl (1)

Cc: 2725586 Ontario Inc., 4622 Nassagweya Puslinch Townline, Moffat ON L0P 1J0

**** These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.***



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
- Engineered
- Estimated
- Approximate
- Special Policy Area
- Slope Valley (GRCA)
- Steep
- Oversteep
- Steep
- Slope Erosion (GRCA)
- Oversteep
- Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to <https://maps.grandriver.ca/Sources-and-Citations.pdf>