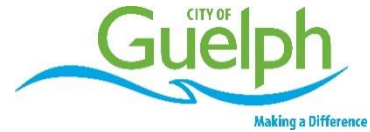


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-10/24
Location: 3 Renfrew Place
Hearing Date: February 8, 2024
Owner: Kim Andrews
Agent: Matthew Fratarcangeli, Tenhouse Building Workshop
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 property is located in the Residential Single Detached (R.1B) Zone. Variances from Sections 4.5.1.4 and 4.5.1 of Zoning By-law (1995)-14864, as amended, are being requested. The By-law requires that:

- a) in a residential zone, the total ground floor area of all accessory buildings or structures shall not exceed 70 square metres; and
- b) an accessory building or structure may occupy a yard other than a front yard or required exterior side yard.

Zoning By-Law (2023)-20790 Requirements:

The property is also located in the Low Density Residential 1 (RL.1) Zone. Variances from Sections 4.5.2(a) and 4.5.1(b) of Zoning By-law (2023)-20790, as amended, are being requested. The By-law requires that:

- a) the maximum total ground floor area of all accessory buildings or structures is 70 square metres; and
- b) an accessory building or structure may be located in a yard other than a front yard or required exterior side yard on a lot.

Request:

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

- a) a maximum total ground floor area of 94.43 square metres for the proposed accessory building and all existing accessory buildings and structures on the subject property; and

b) the proposed accessory building to be located in the exterior side yard with a minimum exterior side yard setback of 4.15 metres.

Staff Recommendation

Approval

Comments

Planning Services

The subject property is designated "Low Density Residential" under the Official Plan. The "Low Density Residential" land use designation applies to built-up residential areas of the City which are intended to support a range of low-density housing types. Included among these housing types is a single-detached residential dwelling with associated accessory structures. The requested minor variances would not conflict with the general intent and purpose of the Official Plan as the proposed accessory structure maintains the existing low density single-detached residential use and nature on the subject property.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended; and are zoned "Low Density Residential" (RL.1) in the Zoning By-law (2023)-20790 passed by Council on April 18, 2023. These residential zones permit single detached dwellings and other related accessory uses. The applicant is proposing to construct a single storey accessory structure adjacent to the pool at the rear of the existing dwelling. The proposed structure is partially located in the exterior yard setback, a distance of 4.15 metres from the lot line, requesting relief from both the 1995 Zoning Bylaw and the 2023 Zoning Bylaw. Furthermore, the proposed structure has a ground floor area of 70.23 square metres, and in addition to the other existing accessory structures on the subject property, add up to approximately 94.43 square metres. A second variance is being requested under both Zoning Bylaws to permit a maximum total ground floor area of 94.43 square metres to include the proposed accessory building and all existing accessory buildings and structures on the subject property. Both variances will allow the construction of the proposed accessory building on the subject lot.

The applicant is requesting a variance to permit an accessory structure to be partially located in the required exterior side yard with a minimum exterior side yard setback of 4.15 metres. Sections 4.5.1 (b) and 4.5.1 prohibit the location of accessory structures to be located in the required exterior side yard in the 1995 and 2023 Zoning Bylaw respectively. The exterior side yard setback requirement for both Bylaws is 4.5 metres. The general intent and purpose of the Zoning By-law in requiring setbacks and not allowing accessory structures in the exterior side yard is to ensure a consistent streetscape and to ensure there are no sight line issues created with structures located in the exterior side yard. The proposed structure will be surrounded by existing trees and an existing fence which is parallel to the exterior lot line, that will blend in with the existing streetscape. Through

correspondence with planning staff, the location of the proposed structure was revised and moved to be as far back as possible from the exterior lot line to reduce the request to a difference of 0.35 metres. Staff are of the opinion that the variance is minor in nature and meets the intent of the Zoning Bylaw.

The applicant is also requesting a variance to permit a maximum total ground floor area of 94.43 square metres to include the proposed accessory building and all existing accessory buildings and structures on the subject property, whereas the total ground floor area of all accessory buildings or structures shall not exceed 70 square metres, according to Sections 4.5.1.4 and 4.5.2(a) of the 1995 and 2023 Zoning Bylaws respectively. The general intent and purpose of the Zoning By-law in requiring maximum ground floor area for all accessory structures on a property is to ensure that the land is not overdeveloped and to allow for proper lot drainage. The area of the subject lands is larger than the minimum requirement for its designated zone, roughly 1153.42 square metres, whereas both Bylaws require a minimum of 460 square metres. The total ground floor area for all accessory structures on the lot, including the proposed structure, equates to roughly 8% of the total area of the lot and about 16% of the rear lot coverage. Given that the lot is roughly two and a half times larger than the minimum area requirement, the proposed accessory structure would not contribute to the overdevelopment of the lot and would still allow for adequate drainage to occur. Additionally, Engineering staff did not note any concerns for drainage. Staff are of the opinion that the variance is minor in nature and meets the intent of the Zoning Bylaw.

The proposal is desirable as the single-storey accessory structure is compatible with the surrounding built-form and whose development will have a minimal additional impact to the adjacent uses. The requested variances meet the general intent and purpose of the Official Plan and Zoning By-law, is desirable for the appropriate development and use of the land and is minor in nature. Staff recommend approval of the application.

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 to construct a 70.2 square metre accessory building with a minimum exterior side yard setback of 4.15 metres. The total area of existing and proposed accessory buildings on the property is 94.43 square metres, whereas the maximum permitted ground floor area of accessory buildings is 70 square metres. The applicant does not exceed 30% maximum yard coverage of accessory buildings, which is also a requirement under both by-laws.

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

Building Services has no concerns with the application and supports Planning's recommendation.

Comments from the Public

None

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