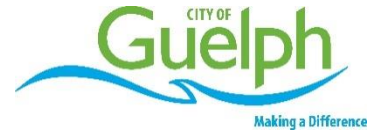


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-77/24
Location: 42 Acker Street
Hearing Date: October 10, 2024
Owner: Waleed Ahmed and Kaylee Tremblett-Onyszko
Agent: Tanvir Rai, Noble Prime Solutions Ltd.
Official Plan Designation: Low Density Residential
Zoning Designation: RL.1 (Low Density Residential 1)

By-Law Requirements:

The property is located in the Low Density Residential 1 (RL.1) Zone. A variance from Table 4.7.6B of Zoning By-law (2023)-20790, as amended, is being requested. The By-law requires:

The By-law requires a minimum interior side yard setback of 0.6 metres for an uncovered porch and stairs.

Request: The applicant is seeking relief from the requirements of Zoning By-law (2023)- 20790, as amended, to permit:

The applicant is seeking relief from the requirements of Zoning By-law (2023)-20790, as amended, to permit a minimum left side yard setback of 0.49 metres for the proposed uncovered porch (landing) and exterior stairs.

Staff Recommendation

Approval with Condition

Recommended Conditions

Engineering Services

1. That prior to building permit the applicant submits a grading and drainage plan for the property, to the satisfaction of the General Manager/City Engineer.
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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 the built-up area of the City and permits a range of housing types including single detached dwellings, duplexes, triplexes, and additional dwelling units. Permitted uses in these areas includes detached, semi-detached, duplex dwellings, and multiple unit residential buildings. As the proposed variance would facilitate the creation of a second dwelling unit in the basement of a permitted residential dwelling, staff are satisfied that the proposal conforms with the intent of the Official Plan.

The subject property is zoned "Low Density Residential 1" (RL.1) according to Zoning By-law (2023)-20790. The requested variance is to permit a left side yard setback of 0.49 metres for a proposed second dwelling unit, whereas the 2023 Zoning By-law requires a minimum interior side yard setback of at least 0.6 metres. The intent of a side yard setback is to ensure adequate space is provided to service and perform maintenance on the lot boundary, as well as allow for sufficient privacy towards the adjacent property. The current proposal is to construct a landing with exterior stairs located in the left side yard. The landing and stairs will be used for an entrance and exit for the additional residential dwelling unit in the basement of the existing semi-detached dwelling. A 0.49 metre setback would have negligible impact on both the privacy towards the adjacent property and the ability to both maintain and access the side yard. Therefore, the proposed variance maintains the general intent and purpose of the City of Guelph Zoning By-law.

The requested variance will facilitate a permitted additional residential dwelling unit under the Official Plan and Zoning By-law without impacting the ability to perform maintenance and maneuver along the left side lot. Staff are therefore satisfied that the proposal is minor in nature and is desirable for the appropriate development of the land.

Staff recommend approval of the application.

Engineering Services

Engineering has reviewed the variance application and supports the minor variance application with the above noted condition. We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Low Density Residential 1 (RL.1) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The RL.1 zone permissions include a single detached dwelling and a semi-detached dwelling. The semi-detached dwelling is proposing to create an additional residential dwelling unit with a new above grade side entry door. A porch with stairs will need to be constructed to access the above grade door. An uncovered porch not more than 1.2 m above finished grade is permitted to have a 0.6m setback from the interior side

lot line as per Table 4.7.6B of the CZBL. The applicant is proposing to have a 0.49m setback for the uncovered porch and stairs.

Note that a minimum 0.9m x 0.9m landing will be required at the top of stairs (Div. B, 9.8.6) and an exterior light will also be required for the new door. 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 and supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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