

Application for Minor Variance

Property:
8 Grant St.
Guelph, ON
N1H 4C3

To the Committee of Adjustment,

The intent of this letter is to provide supplementary information to support the Minor Variance application for the subject property.

The Preliminary Zoning Review identified the following by-law variances to appeal:

Zoning By-Law (1995)- 146864

- **4.15.1.7.8** to permit a left side yard setback of 0m instead of the required 1.5m.
- **4.15.1.7.9** to permit the ARDU to be located 2.63m from the primary dwelling instead of the required 3m.
- **4.15.1.7.3** to permit the ARDU and accessory structures to cover 34.24% of the rear yard instead of the maximum 30%

And their equivalent in Zoning By-law (2023)-20790:

- **4.5.1 (b)(ii)** to permit for the shed (behind garage) to be located 0m from the left side and rear lot lines instead of the required 0.6m.
- **4.12.1 (d) (vii)** to permit a left side yard setback of 0m instead of the required 1.5m.
- **4.12.1 (d) (viii)** to permit the ARDU to be located 2.63m from the primary dwelling instead of the required 3m.
- **4.12.1 (d) (ii)** to permit the ARDU and accessory structures to cover 34.24% of the rear yard instead of the maximum 30%

At the beginning of the design phase for this detached Accessory Residential Dwelling Unit (ARDU), it was important to note the state of the existing structure and its history on the property. The existing garage (to be converted) is a double-wythe brick structure, inferred to be supported by a rubble foundation, with original true I-beam supports for the roof. The structure is well-built and shows no signs of structural deterioration. There are no unprotected openings on the neighbouring property elevations; only on the front, rear (to be infilled), and the side interior to the subject property. Demolishing any part of the existing structure was not considered as an option, as it would cause major disruptions to the neighbouring properties.

The location of the existing garage has been an integral element of separation between neighbouring properties as well, as the wall on the property line adjacent to 2 Grant St. acts as a soil retainer for the neighbouring higher elevation. With the opinion of the structural engineer on this project, leaving the building intact - as it has been for nearly a century - is the most sound option. A building with this construction also significantly contributes to isolating the existing building from the neighbour, which we understand is the intent of the setbacks required within the bylaw.

The preliminary zoning review meeting identified the following by-law variances on the subject property. Steps have been taken to reduce the number of variances required to obtain the change of use from garage to ARDU.

4.5.1 (b)(ii) and 4.15.1.7.3/ 4.12.1 (d) (ii)

To remedy the variances from 4.5.1 (b)(ii) and 4.15.1.7.3./4.12.1 (d)(ii), the existing shed attached to the rear of the garage is proposed to be demolished. The removal of this shed will now exceed the minimum rear setback of 0.6m; the rear wall of the garage is located 2.77m from the rear property line. The shed also contributes to 5.3% of the rear yard coverage. Removing this structure will bring the total rear yard coverage below the maximum 30%, to 28.94%.

4.15.1.7.8 and 4.12.1 (d) (vii)

Due to the aforementioned nature of the existing structure, it is not feasible to relocate the building to satisfy the required setbacks. With written support from the neighbouring property at 2 Grant St. (see attached), there is mutual understanding between affected property owners that the modification of this structure will cause more damage and disturbance than allowing the structure to remain encroached on the lot line. Both homeowners have had a pleasant relationship throughout their time living on Grant St., and have no objection to the proposed change of use to ARDU.

4.15.1.7.9/ 4.12.1 (d) (viii)

With the proposed glazing areas, a 1.85m limiting distance is required for the front elevation of the garage. Although the existing garage falls within the 3m setback from the primary dwelling, there is no direct exposed building face in front of the garage.