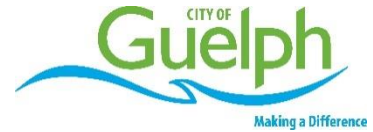


# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-73/24  
Location: 84 Forbes Avenue  
Hearing Date: October 10, 2024  
Owner: Dave Reesor and Teresa Reesor  
Agent: Jeff Buisman, Van Harten Surveying Inc. and Eton Merritt, Mezcon Construction  
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 6.3 of Zoning By-law (2023)-20790, as amended, is being requested.

The By-law requires a minimum rear yard setback of 7.5 metres, or 20 percent of the lot depth [being 8.2 metres], whichever is less.

**Request:** The applicant is seeking relief from the requirements of Zoning By-law (2023)- 20790, as amended, to permit a minimum rear yard setback of 3.2 metres for the proposed addition to the rear of the existing detached dwelling.

## Staff Recommendation

### Approval

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## Comments

### Planning Services

The subject property is designated "Low Density Residential" in the City's 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 development, including single detached dwellings. As the use is permitted, staff are satisfied that the proposal conforms with the intent of the Official Plan.

The subject property is zoned "Low Density Residential" (RL.1), according to Zoning By-law (2023)-20790, as amended. The applicant is seeking relief from the required rear yard setback of 7.5 metres to facilitate the removal of an existing single storey addition and the construction of a new single storey addition that

would have a rooftop balcony connecting to an existing room on the second storey of the dwelling.

The existing single storey addition to be removed has a setback of 2.6 metres to the rear lot line, while the proposed single storey addition has a setback of 3.2 metres to the rear lot line.

The intent of minimum rear yard setbacks is to ensure adequate greenspace for low density dwellings, and to preserve the privacy of the neighbouring properties and the dwelling's occupants. The proposed addition would improve the rear yard setback by pulling the addition 0.6 metres away from the rear lot line and would maintain a similar footprint to the existing addition. The proposed rooftop balcony maintains the minimum side yard and rear yard setback of 2 metres for balconies. For these reasons staff are of the opinion that the proposal conforms with the general intent of the Zoning By-law, is minor in nature, and is desirable for the appropriate development of the lands.

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 Low Density Residential 1 (RL.1) and is within the Older Built-up Area Overlay and the Brooklyn and College Hill heritage conservation District (HCD-1) Overlay under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. Buildings within the HCD overlay are permitted a maximum of 3 storeys with a maximum building height of 9 metres. The applicant is requesting a minimum rear yard setback of 3.2 metres for a proposed addition to the rear of the existing detached dwelling. The survey showing the current built form of the building has a legal non-complying rear yard setback of 2.6m where a mudroom is located. The remainder of the addition along the rear lot line is proposing a 4.6m setback which is an extension to the current legal non-complying footprint of the dwelling.

A building permit is required prior to the and 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

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### **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 TTY: 519-826-9771

[cofa@guelph.ca](mailto:cofa@guelph.ca)

[guelph.ca/cofa](http://guelph.ca/cofa)