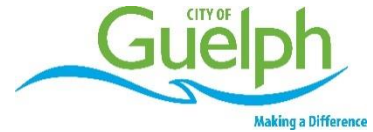


# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-104/24  
Location: 41 Stuart Street  
Hearing Date: December 12, 2024  
Owner: Christopher Davison and Petra Schennach  
Agent: Tyler Harrison, Harrison and Co.  
Official Plan Designation: Low Density Residential  
Zoning Designation: RL.1 (Low density residential)

## 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 interior side yard setback of 1.5 metres.

**Request:** 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 1.2 metres for the proposed attached garage to the existing dwelling.

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## Staff Recommendation

### Approval with Condition

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## Recommended Condition

### Planning Services

1. That the proposed structure maintains general conformity with the submitted site plan.
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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 housing types including single detached dwellings, additional residential dwelling units and associated accessory structures. The requested variance would facilitate the construction of an

attached garage, which is a permitted use. Staff are satisfied that the proposed garage conforms with the general intent and purpose 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 1.2 metres for the proposed attached garage to the existing dwelling, whereas the 2023 Zoning By-law requires a minimum interior yard setback of at least 1.5 metres. The intent of a side yard setback is to ensure adequate space is provided to service and perform maintenance on the lot boundary, ensure appropriate grading and drainage is maintained, and allow for sufficient privacy towards the adjacent property. The current proposal is to construct an attached garage located in the left side yard. The submitted site plan appears to show a 1.38 metre setback towards the front of the property and a 1.22 metre setback towards the rear of the property. The proposal generally conforms to the general intent of Zoning By-law; however, a 1.2 metre setback would have a 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 garage 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 subject to the above noted condition.

### **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 under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The applicant is proposing a 2 storey addition that includes a garage. It will have a 1.2 metre setback whereas the RL.1 Zone requires a 1.5 metre setback for a single detached dwelling.

Building Services has no concerns with the application supports Planning and Engineering recommendations.

### **Comments from the Public**

Yes (see attached)

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### **Contact Information**

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

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