

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-68/25
Location: 14 Graham Street
Hearing Date: July 10, 2025
Owner: Kathleen Reginato and Dino Reginato
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning Designation: Low Density Residential 1 (RL.1) Zone

By-Law Requirements:

The property is located in the Low Density Residential 1 (RL.1) Zone and Older Built-up Area Overlay. A variance from Table 6.3 Additional Regulation 2(a) of Zoning By-law (2023)-20790, as amended, is being requested.

The By-law requires that for lots located within the Older Built-up Area Overlay, that the minimum exterior side yard setback is the average of the established setbacks of the immediately adjacent lots. Where there is only one immediately adjacent lot or where the average of the setbacks of the adjacent lots cannot be determined, the minimum setback shall be 6 metres, and where the off-street parking space is located within a garage or carport, the setback for the garage or carport shall be a minimum of 6 metres from the street line.

Request:

The applicant is seeking relief from the requirements of Zoning By-law (2023)-20790, as amended, to permit a minimum exterior side yard setback of 3.4 metres for the proposed addition to the existing dwelling.

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 residential areas within the built-up area of the city and permits a range of housing types, including

single detached dwellings and additional dwelling units (ADUs). The applicant is proposing to construct an addition to the rear of the existing dwelling. To encourage conservation and rehabilitation of older housing to maintain housing stock and the character of the established residential neighbourhoods, building form, scale, height, setbacks, massing, appearance and siting should be compatible in design, character and orientation with buildings in the immediate vicinity. Staff are of the opinion that the requested variance is in alignment with the above principle of Section 9.3.1.1 in the Official Plan and meets the general intent and purpose of the Official Plan.

The subject property is zoned "Low Density Residential 1" (RL.1) and is located within the Older Built-up Area Overlay, according to Zoning By-law (2023)-20790, as amended. This zone likewise permits single detached dwellings. The applicant has requested a variance to facilitate the proposed addition that would be in line with the existing dwelling with a 3.4 metre exterior side yard setback. The zoning by-law requires any new structures to have a minimum exterior side yard setback of 6 metres.

The general intent and purpose of the Zoning By-law relating to exterior side yard setbacks is to ensure that a consistent street line is maintained by all structures built along the street, and to ensure no sightline issues are created. The existing single detached dwelling has an exterior yard setback of 3.4 metres. The proposed addition to the dwelling would be in line with the existing portion of the dwelling. As there are no significant impacts of the location of the current dwelling on neighbouring properties or the function of adjacent streets, and the proposed addition would maintain the existing setback, staff are satisfied that the requested variance would conform with the general intent and purpose of the Zoning Bylaw.

In the opinion of staff, the proposal is desirable as the two-storey addition is compatible with the surrounding built form and whose development is a natural extension of the existing dwelling. The requested variance for reduced exterior side yard setback meets the general intent and purpose of the Official Plan and Zoning Bylaws, 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 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 two-storey addition to the main dwelling. The proposed second storey addition over the existing garage does not meet the required exterior side yard setback, but is in line with the existing dwelling with the proposed 3.4m exterior side yard setback.

Building Services has no concerns with the addition and notes that building permits are required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Comments from the Public

None

Contact Information

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