

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-28/20
Location: 100 Fleming Road
Hearing Date: July 9, 2020
Owner: Raymond Arsenio and Mary Grace Arsenio
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Urban Reserve (UR) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 1.5 metres for the proposed detached garage.

By-Law Requirements: The By-law does not permit an accessory building or structure to be located closer to any lot line than one-half of the building height or 7.5 metres, whichever is greater.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the location of the detached garage be in general accordance with the Public Notice sketch.

Engineering Services

2. That prior to the issuance of a building permit, the applicant shall apply and obtain an entrance permit.
 3. That the Owner(s) agree to pay the actual cost of the construction of the new driveway entrances and the required curb cuts, and curb fills, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
-

Comments

Planning Services

The subject property is designated "Low Density Residential" in the Official Plan. The "Low Density Residential" land use designation permits a range of residential uses including a single detached dwelling and accessory structures. The applicant is proposing to construct a detached garage at the rear of the property. The requested variance does not conflict with the general intent and purpose of the Official Plan.

The subject property is zoned "Urban Reserve" (UR) according to Zoning By-law (1995)-14864, as amended. The applicant is requesting a variance to the Zoning By-law to permit a detached garage to be located 1.5 metres from the right lot line, whereas Section 11.2.3.4 of the Zoning By-law does not permit an accessory building or structure to be located closer to any lot line than one-half of the building height or 7.5 metres, whichever is greater.

This accessory building or structure setback is specific to the "Urban Reserve" Zone. The property is zoned "Urban Reserve" and developed with a single detached residential dwelling and the proposed detached garage will be accessory to the residential dwelling. Accessory structures serving residential uses do not require 7.5 metre setbacks. The general intent of the Zoning By-law in requiring setbacks for accessory structures is to provide adequate separation between buildings on adjacent properties, provide access for maintenance and to allow proper lot drainage. The requested variance is considered to conform to the general intent and purpose of the Zoning By-law, is considered to be desirable for the appropriate development of the lands and is considered to be minor in nature.

Planning staff recommend approval of the application, subject to the conditions noted above.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-Law requirements to permit a minimum right side yard setback of 1.5 metres for the proposed detached garage, subject to the conditions noted above.

We agree with recommendations made by the Planning and Building staff.

Building Services

The property is located in the Urban Reserve (UR) Zone. The applicant is proposing to construct a detached garage with an area of 66.8 square metres and a height of 6.4 metres at the rear of the property. A variance from Section 11.2.3.4 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application. A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Comments from the Public

None

Contact Information

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

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa