

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-40/20  
Location: 117 Queen Street  
Hearing Date: September 10, 2020  
Owner: Michael Forbes and Sarah Hawthorn  
Agent: Benjamin McFadgen, BM Architectural Design  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1B) Zone

**Request:** The applicant is seeking relief from the By-Law requirements to permit:

- a) the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard; and
- b) the stairs associated with the proposed open, roofed porch to have a minimum setback of 1.6 metres from the front lot line.

**By-Law Requirements:** The By-Law requires that:

- a) for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres [the required front yard is 6 metres]; and
  - b) the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.
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## Staff Recommendation

### Approval with Condition

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## Recommended Condition

### Engineering Services

1. That prior to the issuance of a building permit, the Owner(s) shall agree to relocate the existing driveway and apply for an entrance permit.
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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 residential dwellings. The requested variances meet the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits a single detached dwelling. The applicant is proposing to demolish the existing roofed front porch and replace it with a larger open, roofed porch with associated steps. The front porch is proposed to project into the legal non-complying front yard 2.4 metres from the dwelling (3.8 metres from the required 6 metre front yard setback) with a 2.2 metre setback from the front yard property line. The stairs from the front porch are proposed to have a 1.6 metre setback from the front yard property line.

The Zoning By-law permits an open roofed front porch to have a maximum projection of 2.4 metres into the required front yard, together with a minimum setback of 2 metres from the property line. Any exterior stairs associated with the front porch are required to have a minimum setback of 2 metres from the front yard property line.

The general intent and purpose of the Zoning By-law in requiring porches and stairs to have maximum projections with minimum setbacks from the front yard property line is to provide built form consistency on a streetscape. The existing dwelling currently has a legal non-complying front yard setback of 4.6 metres. It is located in the older built-up area of the City where many of the existing buildings are located closer to the front property line than the required 6 metres.

The requested variances are considered to meet the general intent and purpose of the Official Plan and Zoning By-law, are considered to be desirable for the appropriate development of the land and considered to be minor in nature.

Planning staff recommend approval of the application.

### **Engineering Services**

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard; and to permit the stairs associated with the proposed open, roofed porch to have a minimum setback of 1.6 metres from the front lot line, subject to the condition noted above.

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

### **Building Services**

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to remove and replace the existing roofed porch at the front of the existing dwelling. Variances from Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services does not object to this application to permit the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front

yard; and to permit the stairs associated with the proposed open roofed porch to have a minimum setback of 1.6 metres from the front lot line.

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

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## **Contact Information**

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

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