

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-45/20  
Location: 15 Liverpool Street  
Hearing Date: October 8, 2020  
Owner: David Harvey and Mylene Ward  
Agent: Mackenzie Carroll, Gerrard's Design & Drafting Inc.  
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 minimum rear yard setback of 0.15 metres for the proposed one-storey addition to the rear of the existing detached dwelling.

**By-Law Requirements:** The By-Law requires a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 6.5 metres], whichever is less.

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## Staff Recommendation

### Approval with Conditions

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## Recommended Conditions

### Planning Services

1. That the rear yard setback of 0.15 metres apply only to the proposed addition generally in accordance with the public notice sketch.

### Building Services

2. That prior to the issuance of a building permit, the owner provides written documentation, including drawings, that no encroachment is proposed or provides a copy of an agreement between the two owners that has been executed recognizing the encroachment.
  3. That prior to the issuance of a building permit, the owner confirms and provides written confirmation that an access agreement for the purposes of maintenance of the addition at 15 Liverpool Street has been registered on title for the property of 16 Suffolk Street.
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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 variance meets 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 single detached dwellings. The required rear yard setback is 6.2 metres, which is 20 percent of the lot depth. The general intent and purpose of the Zoning By-law relating to rear yard setbacks is to ensure the property is not overdeveloped and that a rear yard amenity space is maintained.

The applicant is proposing a 6.2 square metre (1.6 metre by 3.87 metres), one-storey addition to create a small mudroom which will be in line with the existing portion of the dwelling which has a 0.15 metre rear yard setback. The proposed addition will add an additional 1.6 metre in house length to the existing 4.34 metre portion of the dwelling that is adjacent to the rear property line. The rear yard amenity space will be minimally impacted by the proposed addition on the 23.3 metre wide lot.

The requested variance is considered to meet the general intent and purpose of the Official Plan and Zoning By-law, is 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 subject to the condition noted above.

### **Engineering Services**

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a minimum rear yard setback of 0.15 metres for the proposed one-storey addition to the rear of the existing detached dwelling.

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

### **Building Services**

This property is located in the Residential Single Detached (R.1B). The applicant is proposing to enlarge the existing one-storey addition at the rear of the existing dwelling. A variance from Table 5.1.2 Row 8 of Zoning By-law (1995)-14864, as amended, is being requested.

Given the proposed setback of 0.15 metres, Building Services recommends approval of the application subject to the conditions noted above.

Please note that windows may be restricted in walls located closer than 1.2 metre to the property lines and the walls may require a fire rating on the inside face. Walls located closer than 0.6 metre may also require an exterior grade fire rated

material (drywall) installed on the exterior face of the wall behind any combustible cladding.

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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