

COMMITTEE OF ADJUSTMENT COMMENTS FROM STAFF, PUBLIC & AGENCIES

APPLICATION NUMBER: A-83/18
LOCATION: 90 Mary Street
HEARING DATE: November 8, 2018
OWNER: Robert Adamson & Joanne Duffy-Adamson
AGENT: N/A
OFFICIAL PLAN DESIGNATION: Low Density Residential
ZONING: Residential Single Detached (R.1B)

REQUEST:	The applicant is seeking relief from the By-law requirements to permit a front yard setback of 3.26 metres for the proposed addition to the attached garage.
BY-LAW REQUIREMENTS:	The By-law requires a minimum front yard of 6 metres or the average of the setbacks of the adjacent properties, being 3.9 metres.
STAFF RECOMMENDATION:	Approval with Conditions
CONDITIONS RECOMMENDED:	
<u>PLANNING SERVICES</u>	
1. That the variance shall generally only apply to the portion of the building identified in the Public Notice sketch.	
<u>GUELPH HYDRO</u>	
2. That prior to issuance of a building permit, the applicant make arrangements with the Technical Services Department of Guelph Hydro Electric Systems Inc. for the possible relocation of the existing overhead hydro service. This would be at the applicant's expense.	

COMMENTS

PLANNING SERVICES:

The subject property is designated "Low Density Residential" in the Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the city that are predominantly residential in character and permits a range of housing types including: single, semi-detached, duplex and townhouse residential dwellings and multiple unit residential buildings. The requested variance will permit the construction of a second story

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addition and expansion of the existing garage. The requested variance does not conflict with Official Plan policies and therefore 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. The applicant is proposing to construct a second storey addition and widen the existing garage to accommodate an accessible vehicle and elevator. The addition is proposed to be constructed in line with the existing garage setback. This property is located within Defined Area Map 66 where the minimum front yard is required to be 6 metres or the average of the setbacks of the adjacent properties. The intent of the By-law is to ensure a consistent streetscape. A variance is required from section 5.1.2.7 (which requires a 3.94 metre front yard setback) to permit the second storey addition to be located 3.26 metres from the front property line. The proposed addition is in line with the existing front yard setback and is considered to meet the general intent and purpose of the Zoning By-law.

Planning staff have no concerns with the variance requested and consider it to be desirable for the appropriate development of the lands and minor in nature. The proposed addition is in line with the existing building, is compatible with the existing neighbourhood and will have no negative impact to the streetscape.

The subject property is less than 0.2 hectares in size and therefore is not regulated by the Private Tree Protection By-law. Staff encourages the applicant to consult with an arborist in order to retain and protect as many trees as possible on the subject property.

Planning staff are of the opinion that the request meets the four tests of a minor variance and recommend the Committee approve the application subject to the above mentioned condition.

ENGINEERING SERVICES:

The applicant is proposing to widen the existing attached garage and replace the second floor over the garage. Please note that it will be the applicant's responsibility to ensure there is no adverse impact on the adjacent lands from a drainage perspective and all storm drainage from the down spouts is directed towards the road. Engineering has no objections to permit a front yard setback of 3.26m for the proposed addition to the garage. We agree with the recommendations made by Planning and Building staff.

BUILDING SERVICES:

This property is located in the Specialized Residential Single Detached (R.1B) Zone. The applicant is proposing to widen the existing attached garage and to construct a second floor addition. Building Services has no objections to permit a front yard setback of 3.26m for the proposed addition to the garage.

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

GUELPH HYDRO:

See above noted condition.

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REPORT COMPILED BY: M. Singh, Council & Committee Assistant

COMMENTS FROM THE PUBLIC RECEIVED: None