

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-36/21
Location: 60 Kathleen Street
Hearing Date: June 10, 2021
Owner: Lisa Harmatuk and Hadley Carpenter
Agent: N/A
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 the existing fence in the front yard between 1.8 metres and 2.19 meters in height as shown on the sketch provided.

By-Law Requirements: The By-law requires that, within any residential zone, any fence located in the front yard shall not exceed 0.8 metres in height.

Staff Recommendation

Approval

Recommended Conditions

None

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 a single detached dwelling. The applicant is proposing to maintain the 1.8 metre – 2.19 metre height of the existing fence located in the front yard of the subject property. The zoning by-law, Section 4.20, permits a maximum fence height of 0.8 metres in the front yard.

The fence was built in line with the existing front porch on the dwelling. The side yard is considered to be behind the front face of the dwelling, not the front porch. The purpose of the maximum fence height of 0.8 metres in the front yard is to ensure the streetscape is not negatively affected by a tall fence in front of a dwelling and to maintain sight line triangle safety. The dwelling on 60 Kathleen is located at the corner of Kathleen Street and Tipperary Place, leaving a large side yard for the property, which the fence encloses. The house is fully visible from the streetscape and required sight line triangles have been maintained.

The zoning by-law, Section 4.20, permits a maximum fence height of 1.9 metres in the side yard. Although the site plan submitted by the applicant notes a varying fence height of 2.19 metres to 1.8 metres in the side yard, City Staff conducted a site visit and confirmed the fence height of 2.19 m is fully located in the front yard and the remainder of the fence located in the side yard does not exceed the maximum permitted fence height of 1.9 metres.

The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the development of the land and is considered to be minor in nature.

Staff recommend approval of the variance.

Engineering Services

Engineering has no concerns with the applicant's request to seek relief from the By-Law requirements to permit the existing fence in the front yard between 1.8 metres and 2.19 meters in height, as shown on the sketch provided.

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

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to maintain the height of the existing fence located in the front yard of the subject property.

Building Services does not object to this application to permit the existing fence in the front yard between 1.8 metres and 2.19 meters in height as shown on the sketch provided.

Comments from the Public

Yes (See Attached)

Contact Information

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