

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-55/21
Location: 14 O'Connor Lane
Hearing Date: December 9, 2021
Owner: Courtney Ferguson and Brent Butler
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning Designation: Specialized Residential Semi-detached/Duplex Zone (R.2-6) Zone

By-Law Requirements:

The By-Law requires that

- a) that an accessory building or structure may occupy a yard other than a front yard or required exterior side yard on a lot;
- b) that an accessory building or structure is not located within 0.6 metres of any lot line; and
- c) a minimum exterior side yard setback of 0.8 metres for an uncovered porch not more than 1.2 metres above finished grade.

Requests:

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

- a) the existing accessory structures (gazebo and deck) to be located in the exterior side yard;
- b) the existing accessory structure (gazebo) to have a minimum exterior side yard setback of 0.5 metres; and
- c) the existing uncovered porch (deck) to have a minimum exterior side yard setback of 0.5 metres.

Staff Recommendation

Deferral

The applicant has also requested deferral of the application (see attached).

Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation 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 minor variances to permit an existing deck and gazebo in the exterior side yard.

During the review of the application, it was noted that the existing fence does not conform to the requirements of the zoning by-law. This information has been communicated to the owner, who has since requested deferral of the application.

Planning supports the request for deferral to add the additional minor variance(s) to the application.

Engineering Services

Staff understand that this application is being deferred. Engineering comments will be provided when the application is resubmitted.

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

Building Services

The applicant is seeking three variances for existing structures. These are:

- a) the existing accessory structures (gazebo and deck) to be located in the exterior side yard;
- b) the existing accessory structure (gazebo) to have a minimum exterior side yard setback of 0.5 metres; and
- c) the existing uncovered porch (deck) to have a minimum exterior side yard setback of 0.5 metres.

Building Services notes that an additional variance approval would be required for the existing fence in the exterior side yard that does not comply with Sections 4.20.10.2 and 4.20.10.3 of the Zoning By-law.

Building Services agrees with the recommendation of deferral to allow all of the variances required to be applied for.

Comments from the Public

None

Contact Information

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