

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-58/23
Location: 10 Eleanor Court
Hearing Date: September 14, 2023
Owner: Emily Jantzi
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning Designation (1995)-14864: Residential Single Detached (R.1B) Zone
Zoning Designation (2023)-20790: Low Density Residential 1 (RL.1) Zone

Zoning By-Law (1995)-14864 Requirements:

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

Zoning By-Law (2023)-20790 Requirements:

The By-law requires that, on a residential property located on a corner lot, and where the principal entrance of a single-detached or semi-detached dwelling faces the exterior side lot line, a fence located in the front yard shall not exceed 1.9 metres in height from the midpoint of the main building to the interior side lot line when located up to 0 metres of a front lot line.

Request:

The applicant is seeking relief from the requirements of both By-Laws to permit a proposed fence with a maximum height of 1.9 metres in the front yard, located from the front face of the main building (not the midpoint) to the front lot line of the property, and located outside of the sight line triangle for the subject property.

Staff Recommendation

Approval with Condition

Recommended Conditions

Alectra Utilities

1. That the fence includes a gate or means of unimpeded access to the Alectra Utilities meter.
-

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 development, including single detached dwellings and associated fencing. As the uses are permitted staff are satisfied that the proposal conforms with the intent of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended; and is zoned "Low Density Residential" (RL.1) in the Comprehensive Zoning By-law passed by Council on April 18th, 2023. Section 4.20.9 of the 1995 By-law prohibits fences in the front yard of residential properties from exceeding 0.8 metres. Section 4.16.3(a)(i) of the 2023 By-law requires fences on functional exterior side yards in residential areas to not exceed 0.8 metres where past the midpoint of the dwelling. The intent of these provisions is to ensure that tall fences are not located in the front yards of dwellings, and do not obstruct the vision of motorists on the road or pulling out of driveways. The proposed fence would occupy the functional side yard of the subject property and would maintain the required sightline triangles for the nearby intersection and the driveway of the neighbouring property. For this reason staff are satisfied that the proposal maintains the general intent and purpose of both Zoning By-laws.

The proposed fence would allow for increased privacy in the functional side yard of the subject property without negatively impacting neighbouring properties or obstructing sightline triangles. For this reason the proposal is considered desirable for the appropriate development of the land and is minor in nature.

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

Staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the requested variance seeking relief from the requirements of Zoning By-law (1995)-14864, as amended, to permit increased fence height in front yard.

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

Building Services

The subject property is zoned Residential Single Detached (R.1B) under Zoning By-law (1995)-14864, as amended and Low Density Residential 1 (RL.1) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended.

The proposed fence location is in what functions as the dwelling's exterior side yard but is the technical front yard as per the definition of front yard in the zoning by-law, being the shortest of two frontages on the corner lot. The fence location is outside of the corner and driveway sight line triangles.

Building Services has no concerns with the application.

Alectra Utilities

Please see attached correspondence from Alectra Utilities.

Comments from the Public

None

Contact Information

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

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa