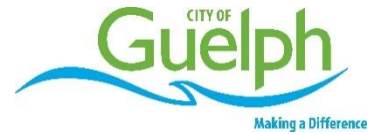


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-58/20
Location: 61 Mary Street
Hearing Date: December 10, 2020
Owner: Genevieve Newton
Agent: Geoff Newton
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 an existing fence in the front yard between 1.25 metres and 1.95 metres 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 with Condition

Recommended Conditions

Planning Services

1. The fence height shall not exceed 0.8 metres in height where/if located within the sightline triangle as measured in the Zoning By-law.
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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 does not conflict with 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 applicant is requesting a variance to the Zoning By-law to permit an

existing fence height of 1.25 metres, sloping up towards the dwelling to a maximum of 1.95 metres in the front yard (adjacent to 55 Mary Street), when the By-law requires any fence located in the front yard in a residential zone not to exceed 0.8 metres in height.

The Zoning By-law sets out maximum fence heights to ensure the streetscape is not negatively impacted. Limiting the fence height also ensures there is no conflict with safety (i.e. sight lines). In this case, there was previously a row of hedges where the existing fence is now located. There is also a grade difference between the subject property and 55 Mary Street and a fence will ensure pedestrian and vehicle safety along the property line.

Based on the lot configuration, existing and past landscaping and the grade between the subject property and the neighbouring property where there is the existing fence, the proposed fence does not negatively impact the streetscape.

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 above noted condition.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit an existing fence in the front yard between 1.25 metres and 1.95 metres in height, as shown on the sketch provided.

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

Building Services

The property is located in the Residential Single Detached (R.1B) Zone. The applicant is seeking relief from the By-Law requirements to permit an existing fence in the front yard between 1.25 metres and 1.95 metres in height.

Providing the conditions recommended by Planning Staff are imposed, Building Services does not object to this application.

Comments from the Public

Yes (See Attached)

Contact Information

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