

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-74/24
Location: 90 Cityview Drive North
Hearing Date: October 10, 2024
Owner: Michael Speagle and Stacey Lee McFadden
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning Designation: RL.2 (Low Density Residential 2)

By-Law Requirements:

The property is located in the Low Density Residential 2 (RL.2) Zone. A variance from Section 4.16.3(b)(iii) of Zoning By-law (2023)-20790, as amended, is being requested. The By-law requires that a fence located in an exterior side yard shall not exceed 0.8 metres in height in the remaining exterior side yard, located from the midpoint of the main building towards the front lot line.

Request: The applicant is seeking relief from the requirements of Zoning By-law (2023)- 20790, as amended, to permit the extension of the existing fence with a maximum fence height of 1.8 metres in the exterior side yard, located from the midpoint of the main dwelling to the front wall of the main dwelling, and located outside of the sight line triangle for the subject property.

Staff Recommendation

Approval

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 "Low Density Residential 2" (RL.2), according to Zoning By-law (2023)-20790, as amended. The applicant is seeking to extend the existing exterior side yard fence to increase the functionality of their rear yard and

enclose personal amenities. The applicant is requesting a variance to permit an exterior yard fence with a maximum height of 1.9 metres located from the midpoint of the building to the front lot line.

Section 4.16.3 of the 2023 Zoning By-law permits a maximum fence height of 0.8 metres when located between the midpoint of the main building and front lot line. The general intent and purpose for regulating fences in the Zoning By-law is to ensure that they do not impede regular functions and services, while also ensuring that they do not interfere with visibility or negatively impact the streetscape. The proposed fence maintains the required sight line triangle for the adjacent intersection and driveways of neighbouring properties. Additionally, the proposed fence preserves the streetscape by concealing solar energy equipment in the exterior side yard. Staff are satisfied that the proposal conforms with the intent of the Zoning By-law.

The proposed fence would allow for increased privacy and use of the side yard without negatively impacting the streetscape or obstructing the sightline triangle. For these reasons, the proposal is considered desirable for the appropriate development of the land and is minor in nature.

The requested variance is considered to meet 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. We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Low Density Residential 2 (RL.2) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The RL.2 zone permissions include a single detached dwelling. The applicant is proposing to extend the existing 1.8 metre high fence in the exterior side yard past the midpoint of the dwelling towards the front of the dwelling. The proposed fence location will not be within the 9m x 9m corner sight line triangle.

The owner should be aware that access is needed to read the gas metres.

Building Services has no concerns with the application supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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

519-822-1260 Extension 2524
TTY: 519-826-9771

cofa@guelph.ca
guelph.ca/cofa