



Report Committee of Adjustment

Filing Date: June 10, 2024

Hearing Date: July 16, 2024

File: A-2024-0216

**Owner/
Applicant:** AMAL RAJVANSHI, VANISREE RAJVANSHI

Address: 53 Harper Road

Ward: WARD 3

Contact: Emily Mailling, Planning Technician

Recommendations:

That application A-2024-0216 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. The design and construction of the proposed fence in the required front yard shall not obstruct visibility within the visibility triangle; and
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential R1B', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a fence in the required front yard of 6.0 metres having a height of 1.6 metres, whereas the by-law permits a maximum fence height of 1 metre in the required front yard of 6.0 metres.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and "Low Density Residential" in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. The requested variance is considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The requested variance is seeking permit a front yard fence that will be 1.6m (5.2 ft.) in height whereas the by-law permits a front yard fence with a maximum height of 1.0m (3.3 ft.). The intent in the Zoning By-law in regulating a maximum height for fences is to limit negative impacts to the streetscape and sightlines, while providing a level of comfortable privacy from the public and adjacent neighbours. The intent of further regulating the maximum height of a fence within the front yard is to ensure that neighbourhood character and appearance are maintained. Staff are of the opinion that the proposed fence height in the front yard will not negatively impact the aesthetic or functional quality of the property or neighbourhood. Subject to the conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is seeking a height that will be taller than what is permitted in the front yard of a residence, according to the Zoning By-law for the property. The proposed fence will improve the privacy of the owner's dwelling without compromising the aesthetic or functional quality of the neighbourhood or streetscape. Staff have reviewed the submitted site plan and are of the opinion that the proposed fence does not interfere with the visibility triangle. Subject to the recommended conditions of approval, the proposed variance is appropriate for the development of the land.

4. Minor in Nature

The requested variance would allow for the front yard fence height to be increased by 0.6 metres more than what is currently permitted. As per the drawings provided by the applicant, the fence will not be located directly on the property line, mitigating impacts on neighbourhood aesthetic. Subject to the recommended conditions of approval, the requested proposed fence is considered minor in nature.

Respectfully Submitted,

EMailling

Emily Mailling

Site Visit Photos

