



Report Committee of Adjustment

Filing Date: November 24, 2024
Hearing Date: April 29, 2025
File: A-2024-0446
**Owner/
Applicant:** Garry James Moris, Alexandra Morris
Address: 17 Chiltern Court
Ward: WARD 7
Contact: Emily Mailling, Planning Technician

Recommendations:

That application A-2024-0446 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. That the applicant provides the required \$660.00 Toronto and Region Conservation Area (TRCA) review fee as per the letter dated April 23, 2025; 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 R2A(1)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a fence in the rear yard having a height of 2.59 metres, whereas the by-law permits a maximum fence of 2.0 metres in the rear yard.

Current Situation:

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

The subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhood' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The property is designated 'Residential' in the Official Plan and "Low Density 1 Residential" in the Bramalea Secondary Plan (Area 3). 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 fence in the rear yard having a height of 2.59 metres, whereas the by-law permits a maximum fence of 2.0 metres in the rear yard. 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. 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 to permit a fence in the rear yard having a height of 2.59 metres, whereas the by-law permits a maximum fence of 2.0 metres in the rear yard. Staff are of the opinion that the fence will improve the privacy of the owner's dwelling without compromising the aesthetic or functional quality of the neighbourhood or streetscape. Subject to the recommended conditions of approval, the variance is appropriate for the development of the land.

4. Minor in Nature

Staff are of the opinion that the requested variance to increase the fence height by 0.59 metres will improve privacy of the owner's dwelling without negative 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

