



Report Committee of Adjustment

Filing Date: February 17, 2023

Hearing Date: March 7, 2023

File: A-2023-0029

Owner/

Applicant: PRANAVKUMAR SHAH AND BRINDABEN SHAH

Address: 14 Needlewood Lane

Ward: WARD 9

Contact: Rajvi Patel, Assistant Development Planner

Recommendations:

That application A-2023-0029 be withdrawn.

Background:

Existing Zoning:

The property is zoned 'Residential Semi-Detached C (R2C-879)', according to By-law 270-2004, as amended.

Requested Variances:

The applicants are requesting the following variances:

1. To permit a driveway width of 5.4m (17.72 ft.), whereas the by-law permits a maximum driveway width of 4.9m (16.08 ft.);
2. To permit an existing fence having a maximum height of 3.2m (10.50 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.).

Current Situation:

Variance 1 is requested to permit a driveway width of 5.4m (17.72 ft.), whereas the by-law permits a maximum driveway width of 4.9m (16.08 ft.). Through City staff's review of the proposed variances, it was determined that the proposed driveway width of 5.4m (17.72 ft.) existed prior to the implementing Zoning By-law 270-2004 came into force and effect, resulting in a legal non-conforming driveway width of 5.4m (17.72 ft.). City staff are therefore of the opinion that a variance from the implementing

zoning by-law is not required to permit the driveway width of 5.4m (17.72 ft.) and that the proposed variance be withdrawn.

Variance 2 is requested to permit an existing fence having a maximum height of 3.2m (10.50 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.). Variance 2 was identified upon staff's site visit to inspect and measure the proposed driveway width and was not part of the original submission. It should also be noted that the fence extension was installed on 14 Needlewood Lane, staff recommend that Variance 2 be withdrawn.

Should the applicant wish to proceed with Variance 2, City staff are of the opinion that the proposed variance 2 maintains the general intent and purpose of the Official Plan, maintains the general intent and purpose of the Zoning By-law, is desirable for the appropriate development of the land and is minor in nature. The fencing has been installed along a western portion of the applicant's side yard (Appendix A). The fencing does not create any adverse shadowing or massing impacts to the subject lot or neighbouring property as the extended portion of the fence consists of a wired mesh material that allows light to pass.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

Appendix A

