



Report Committee of Adjustment

Filing Date: May 2, 2023
Hearing Date: May 30, 2023

File: A-2023-0137

**Owner/
Applicant:** PUNEET GUPTA AND SHIKHA GUPTA

Address: 6 Lena Gate

Ward: WARD 6

Contact: Ellis Lewis, Planning Technician

Recommendations:

That application A-2023-0137 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the amount of glazed openings for the rear and side walls of the addition be restricted based on the limiting distance, and shall conform to Division B, 9.10.15.4 of the Ontario building Code; and
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached C- Special Section 1231 (R1C-1231)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a rear yard setback of 4.52 metres (14.82 ft.) to the proposed building addition (sunroom) whereas the by-law requires a minimum rear yard setback of 6.0 metres (19.68 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low/ Medium Density Residential' in the Fletchers Meadows Secondary Plan (Area 44). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. The requested variances are 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 variance is requested to permit a rear yard setback of 4.52 metres to the proposed building addition (sunroom), whereas the by-law requires a minimum rear yard setback of 6.0 metres. The intent of the by-law in requiring a minimum rear yard setback to an addition is to ensure that impacts to the property will be alleviated relating to massing and privacy. To combat these concerns, the applicant proposed an addition that will be screened by existing landscape and fencing that surrounds the rear yard. Additionally, this rear yard setback requirement is put into place to minimize overlook on adjacent properties.

The applicant is proposing to construct a sunroom that will be approximately 198 square feet at the rear of the house. The sunroom can be utilized as a form of passive recreational area which adds to the property's rear yard amenity space. As such, the proposed sunroom is not anticipated to negatively impact the rear yard amenity area for the property given the size of the rear yard. Subject to the recommended 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 variance is associated with the addition of a sunroom in the rear of the home. The reduced rear yard setback is not anticipated to negatively impact the rear yard amenity area for the property nor will it cause privacy concerns for adjacent property's backyards. As the addition is set back from the property line by over 4 metres, there should be concerns regarding visual massing should be mitigated. A condition of approval is recommended that the amount of glazed openings for the rear and side walls of the addition be restricted based on the limiting distance, and shall conform to Division B, 9.10.15.4 of the Ontario building Code. Subject to the conditions of approval, the requested variance is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the amenity area for the property as an adequate amount still remains. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the

notice of decision to ensure that the setback is consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planning Technician

Appendix A:

