



Report Committee of Adjustment

Filing Date: April 24th, 2024

Hearing Date: May 21st, 2024

File: A-2024-0126

**Owner/
Applicant:** JONY BAHSOUS / PAVNEET KAUR

Address: 16 IXWORTH CIRCLE

Ward: WARD 6

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0126 is supportable, in part, 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 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 – Special Section 2427 (R1E-2427)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an accessory structure (open – sided shade structure) located on a landscaped deck having a gross floor area of 29.72 square metres, whereas the by-law permits a maximum gross floor area of 10 square metres for an individual accessory structure located on a landscaped deck.

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' in the Bram West Secondary Plan (40D). The requested variance is not considered to have significant impacts within the context of the Official Plan. The nature and extent of the proposed 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 variance is requested to permit an accessory structure (open – sided shade structure) located on a landscaped deck having a gross floor area of 29.72 square metres, whereas, the by-law permits a maximum gross floor area of 10 square metres for an individual accessory structure located on a landscaped deck. The intent of the by-law in regulating the building footprint of accessory structures is to ensure that an appropriate amount of outdoor amenity space is maintained and that the planned intent and use of the land with respect to massing is maintained.

The proposed accessory structure is intended to be an open sided cabana building which will enhance the outdoor amenity area on the property. Despite the increased size of the structure, an appropriate amount of outdoor amenity space will be maintained and it is not anticipated to adversely affect massing or impact the subject property, adjacent property or surrounding area. 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

Given the large size of the backyard, the size of the accessory structure in the rear yard are not anticipated to create negative visual massing impacts and a large amount of space is still provided for recreational activity in the rear yard. The proposed development maintains the planned intent and use of the subject property, maintains the general intent and purpose of the Official Plan and Zoning By-law, and maintains the general size, scale, and character of the area. Subject to the recommended conditions of approval, the requested variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit an accessory structure located on a landscaped deck having a gross floor area of 29.72 square metres is not anticipated to significantly impact the amount of outdoor amenity space and is further not anticipated to adversely impact the subject property. The variance is minor in nature.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

