



Report Committee of Adjustment

Filing Date: July 5, 2024
Hearing Date: August 20, 2024

File: A-2024-0256

**Owner/
Applicant:** Sanjib Bharatia & Nitu Singhania
Lifestyle Sunrooms

Address: 29 Dovesong Drive

Ward: 9

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2022-0256 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 drainage on adjacent properties shall not be adversely affected; 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 Semi-Detached A, Special Section 709 (R2A-709)', 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 6.79 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.50 metres.

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. Within the 2006 Official Plan, the subject property is designated as 'Residential' and 'Low Density Residential 1' in the Springdale Secondary Plan (Area 2). The requested variance has no impact within the context of the policies of the Official Plan and Secondary Plan and maintains the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Semi-Detached A, Special Section 709 (R2A-709)', according to By-law 270-2004, as amended.

The variance is requested to permit a rear yard setback of 6.79 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.50 metres. The intent of the Zoning By-law in regulating the minimum rear yard setback is to allow for adequate amenity space, and consistent separation distance between structures. The requested 0.71 metres reduction in the minimum rear yard setback requirement applies to the entire width of the existing sunroom addition. The addition does not significantly impact the provision of amenity space in the rear yard and sufficient separation between neighbouring dwellings and structures are maintained. A condition of approval has been added with respect to drainage. It is recommended that roof drainage from the sunroom shall flow onto the applicant's property and that drainage on adjacent properties shall not be adversely affected. Subject to the recommended conditions, the requested variance maintains the general purpose and intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The rear yard setback variance is requested to permit the sunroom addition at the rear of a semi-detached dwelling. Given the size of the rear yard and the location and configuration of the addition, the proposed addition is not anticipated to limit the overall provision of amenity space or cause negative visual impacts as it is screened from neighbouring properties and the streetscape by fencing and trees along the rear yard lot lines. Furthermore, the proposed addition to the dwelling is not anticipated to alter the character of the area and maintains all other requirements set out in the Zoning By-law. Subject to the recommended conditions of approval, the proposed variance is desirable for the appropriate for the development of the land.

4. Minor in Nature

The subject lands are located within a residential area, due to the size and conditions of the property, the proposed addition is not anticipated to detract from the provision of outdoor amenity space or create

adverse impacts on-site or off-site. Privacy concerns are mitigated as the addition maintains interior side yard setback requirements to the neighbouring properties. The addition is not considered to have any negative impacts on the provision of outdoor amenity space in the rear yard as the rear yard provides ample amenity space on the north side of the dwelling and ample screening through existing landscaping and trees. As a result, the location and scale of the addition do not generate privacy or shadowing impacts and the variance is considered to be minor in nature. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos

