

Filing Date: November 23, 2020

Hearing Date: January 5, 2021

File: A-2020-0135

**Owner/
Applicant:** SANDEEP SINGH HUNDAL AND MANDEEP SINGH HUNDAL

Address: 9 Coralreef Crescent

Ward: 9

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0135 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 Public Notice;
2. That the applicant obtain a building permit within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
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 749 (R1C-947)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot coverage of 37.88% whereas the by-law permits a maximum lot coverage of 30%;
2. To permit an interior side yard setback of 0.30m (0.98 ft.) to an open roofed porch (as built) whereas the by-law requires a minimum interior side yard setback

of 1.2m (3.94 ft.) on one side and 0.9m (2.95 ft.) on the other side;

3. To permit an existing accessory structure (shed) having a rear yard setback of 0.2m (0.66 ft.) and a side yard setback of 0.13m (0.43 ft.) whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated "Residential" in the Official Plan and "Low Density Residential 1" in the Springdale Secondary Plan (Area 2). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Single Detached C – Special Section 749 (R1C-947)" according to By-law 270-2004, as amended.

Variance 1 is to permit a lot coverage of 37.88% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate relative to the size of the property and does not detract from the provision of outdoor amenity area on the property. In the case of this request, the increased coverage is related to a covered porch at the rear of the dwelling. This covered porch is intended to enhance the use of the outdoor amenity area, and does not cause the size of the dwelling to detract from the provision of outdoor space. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit an interior side yard setback of 0.30m (0.98 ft.) to an open roofed porch (as built) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) on one side and 0.9m (2.95 ft.) on the other side. The intent of the by-law in requiring a minimum setback to an open roofed porch is to ensure that the location of the structure does not impact drainage for the subject property or those adjacent to it. In the case of the subject property the location of the porch is not impacting drainage given the nature of its construction. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit an existing accessory structure (shed) having a rear yard setback of 0.2m (0.66 ft.) and a side yard setback of 0.13m (0.43 ft.) whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line. This variance relates to an existing storage shed at the rear of the property. The intent of the by-law in requiring a minimum side yard setback to all lot lines for accessory structures is to ensure that sufficient space is provided for drainage. In the case of the subject property, the location of the shed presents no concerns with

regard to drainage. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is to permit an increased lot coverage related to an existing covered porch in the rear yard of the property. The covered porch contributes positively to the use of the rear yard amenity space. A condition of approval is recommended that a building permit be obtained to ensure that the structure has been constructed in accordance with the Ontario Building Code. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 also relates to the covered porch in the rear yard and its proximity to the interior lot line. The location of the porch is not impacting drainage on the subject property or adjacent properties. It was noted through the review of the application that the applicant is required to obtain a building permit for the structure, as such a condition of approval is recommended that the applicant obtain said permit within 60 days of the final date of the Committee's decision. This will ensure the structure is in compliance with the Ontario Building Code. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is related to an existing storage shed at the rear of the property. The shed provides additional storage for the main dwelling and does not impact drainage in its current location. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 and 2 are related to an existing covered porch in the rear yard. The size and location of the porch does not detract from the provision of outdoor space and does not present concerns with regard to drainage. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to be minor in nature.

Variances 3 relates to an accessory shed at the rear of the property, intended to be used for storage related to maintenance of the yard. The location of this structure does not present concerns with regard to drainage. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development