

**Filing Date:** November 25, 2020

**Hearing Date:** January 5, 2021

**File:** A-2020-0143

**Owner/  
Applicant:**

**ANDREW WATTS AND KAMILA GOLEC**

**Address:** 42 Majestic Crescent

**Ward:** 7

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0143 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 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 Townhouse A(2)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a side yard setback of 1.57m (5.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum side yard setback of 1.8m (5.90 ft.) to the second storey;
2. To permit a side yard setback of 0.6m (1.97 ft.) to a proposed porch on the first floor whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.);
3. To permit a lot coverage of 35.7% whereas the by-law permits an existing legal non-complying lot coverage of 33%.

## **Current Situation:**

### **1. Conforms to the Intent of the Official Plan**

The subject property is designated "Residential" in the Official Plan and "Medium Density Residential" in the Bramalea Secondary Plan (Area 3). 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 Townhouse A(2)" according to By-law 270-2004, as amended.

Variance 1 is to permit a side yard setback of 1.57m (5.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum side yard setback of 1.8m (5.90 ft.) to the second storey. The intent of the by-law in requiring a minimum setback to the second storey is to ensure that the second storey massing does not have negative impacts on adjacent properties. The proposed reduction in setback is consistent with the setback of the first floor and is not anticipated to cause negative massing impacts. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variances 2 and 3 are requested in regard to a proposed increase to the existing porch on the dwelling.

Variance 2 is requested to permit a side yard setback of 0.6m (1.97 ft.) to a proposed porch on the first floor whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.). The intent of the by-law in requiring a minimum setback to a porch is to ensure that sufficient room is provided for drainage on the property. The proposed setback of 0.6m (1.97 ft) is anticipated to provide sufficient area for drainage. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 relates to a requested increase in lot coverage of 2.7% from the permitted legal non-complying lot coverage of 33%. This slight increase in coverage results from the expansion to the porch. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate for the size of the lot and neighbourhood. The increase in coverage is not anticipated to have a noticeable visual impact on the dwelling and will facilitate the expansion of the existing porch, contributing positively overall to the streetscape. 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 requested to facilitate an addition on the second storey of the dwelling, over the existing garage. The requested setback is not anticipated to create negative

massing impacts and is consistent with the first storey of the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 3 are related to a proposed expansion to the existing porch on the front of the dwelling that also increases the overall lot coverage on the property. The expansion of the porch is not anticipated to impact drainage, and the increased lot coverage will not be largely noticeable from the street view. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 setback of 1.57m (5.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum side yard setback of 1.8m (5.90 ft.) to the second storey represents a reduction that is nominal in nature and is not anticipated to have significant impacts on the massing of the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variances 2 and 3 relate to a proposed expansion to the existing porch to enhance its aesthetic quality. The requested variances will be largely unnoticeable from a visual perspective and are not anticipated to impact the streetscape or drainage. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development