

Filing Date: December 3, 2020
Hearing Date: January 26, 2021

File: A-2020-0146

**Owner/
Applicant:** **DEEPAK KUMAR**

Address: **14 Appleby Drive**

Ward: 7

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0146 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 Semi-Detached A(1) (R2A(1))” according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Low Density

Residential 1” in the Bramalea Secondary Plan (Area 3). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is 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 Semi-Detached A(1) (R2A(1))” according to By-law 270-2004, as amended. The requested variance is to permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.). The intent of the by-law in regulating the required interior side yard setback to a second storey addition is to ensure that sufficient distance is maintained between dwellings, and that the massing of the second storey does not impose upon the adjacent property. The proposed addition is intended to be located at the rear of the dwelling and the requested setback is consistent with the existing second storey of the dwelling. Given this, the proposed addition is not anticipated to negatively impact adjacent properties from a massing perspective. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to facilitate the addition of a washroom on the second storey of the existing dwelling. The proposed setback is consistent with the existing setback of the second floor of the dwelling and given the limited scale of the addition, it is not anticipated to negatively impact adjacent properties. A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the public notice to ensure the scale of the addition remains consistent with what is presented within the variance application. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is intended to facilitate a small scale addition on the existing residential dwelling, to allow construction of an additional washroom for the family. The massing and location of the addition are not anticipated to have any negative impacts on the subject property or those around it. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I