

Filing Date: December 15, 2020

Hearing Date: January 26, 2021

File: A-2020-0156

**Owner/
Applicant:** **SHAILISH PATEL AND PRANALIKA PATEL**

Address: **123 Leadership Drive**

Ward: 4

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0156 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.

Background:

Existing Zoning:

The property is zoned “Residential Single Detached E-11.6 – Special Section 2263 (R1E-11.6-2263)” 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 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Low Density 1

Residential” in the Credit Valley Secondary Plan (Area 45). The requested variance is not considered to have significant implications 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 Single Detached E-11.6 – Special Section 2263 (R1E-11.6-2263)” according to By-law 270-2004, as amended. The requested variance is to permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property. In the case of the subject property, the rear yard setback will only apply to a portion of the dwelling and is not anticipated to negatively impact the overall provision of outdoor amenity area. 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 a small scale addition on the rear of the existing dwelling. The size and scale of the addition is not anticipated to negatively impact the provision of outdoor amenity space for the property and will allow for an expansion of the living space within the dwelling. 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 proposed reduced rear yard setback is not intended to apply to the entirety of the rear yard but rather in the space of a small, proposed addition. The addition is not anticipated to negatively impact the function of the rear yard amenity space. 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