

Filing Date: December 22, 2020

Hearing Date: February 16, 2020

File: A-2020-0164

Owner/

Applicant: BIKRAMJEET BAJWA AND PAWANJIT KAUR

Address: 2 Fascination Street

Ward: 9

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0164 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 below grade entrance shall not be used to access an unregistered second unit;
 3. That the applicant shall extend or adjust the existing fence (if required) to screen the below grade entrance in a manner satisfactory to the Director of Development Services;
 4. 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 Single Detached F-9 – Special Section 2368 (R1F-9-2368)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below

grade entrance between the main wall of the dwelling and a flankage lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Low Density Residential” in the Countryside Villages Secondary Plan (Area 48b). The requested variance is not considered to have significant impacts within the context of the Official Plan. 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 F-9 – Special Section 2368 (R1F-9-2368)” according to By-law 270-2004, as amended.

The requested variance is to permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line. The intent of the by-law in prohibiting below grade entrances between a main wall of the dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape. A condition of approval is recommended that the applicant shall extend or adjust the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services to ensure that the below grade entrance is fully screened from view of the street.

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 construction of a below grade entrance in the exterior side yard of the property in order to create a second unit within the residential dwelling. A condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that the second unit is constructed in accordance with the Ontario Building Code.

A further condition of approval is recommended that the applicant shall extend or adjust the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services so that the location of the fence can be adjusted (if required) to ensure full screening of the below grade entrance.

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 location of the below grade entrance is not anticipated to have negative impacts on the streetscape and will facilitate the creation of a second unit within the residential dwelling. 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