

Filing Date: February 25, 2021

Hearing Date: March 30, 2021

File: A-2021-0035

Owner/

Applicant: Ajaypal S. Bajwa, Parveen Dhillon / Nour Elgendy (Four Seasons)

Address: 28 Richland Crescent

Ward: 10

Contact: Stephen Dykstra, Planner III, Development

Recommendations:

That application A-2020-0108 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 Notice of Decision;
 2. That the addition be in conformity with the Ontario Building Code, specifically that the amount of glazed openings be restricted based on the limiting distance;
 3. That drainage on adjacent property shall not be impacted;
 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 A (R1A-1733)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior setback to a proposed deck of 0.47m (1.54 ft.) whereas the by-law requires a minimum interior side yard setback of 0.6m (1.97 ft.).
2. To permit an existing accessory structure (shed) having a setback of 0.31 metres to the rear lot line and 0.26 metres to the side lot line 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 property is designated as “Residential” in the Official Plan and “Low Density Residential 2” in the Vales of Castlemore Secondary Plan (Area 42). 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 variances are considered to maintain the general intent of the Official Plan.

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

Variances 1 requests to facilitate a deck and a sunroom addition that will be over the proposed deck. Variance 1 is to permit an interior side yard setback of 0.47m (1.54 ft.) whereas the by-law requires a minimum interior side yard setback of 0.6m (1.97 ft.). This variance is required in order to facailitate the proposed deck.

The intent of the by-law in requiring an interior side yard setback is to ensure that adequate rear yard outdoor amenity space is provided for the residential dwelling and to avoid any impacts from massing on adjacent properties. The proposed addition will be one storey in height which does not pose significant concerns from a perspective of massing. It is also noted that the subject lands back onto environmental lands so that there are no neighbours to the rear of the property. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit an existing accessory structure (shed) having a setback of 0.31 metres to the rear and 0.26 metres to the side lot line whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line. The intent of the by-law in regulating a minimum setback to all lot lines for accessory structures is primarily to ensure adequate room is provided for drainage while also ensuring that there is no significant impact on the neighbouring properties. A condition of approval is recommended that drainage on adjacent properties shall not be impacted to ensure that drainage is contained within the subject property, which is consistent with the design of the accessory structure's roof. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 is requested to facilitate a deck and associated sunroom at the rear of the residential dwelling. The reduced reduced side yard will still provide an adequate distance to the neighbouring property. It is noted that the applicant is providing privacy measures which will aid in the overall compatibility for this proposed variance. The one

storey nature of the sunroom addition does not pose concerns with regard to massing.

Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit an existing accessory structure located 0.31 metres to the rear and 0.26 metres to the side lot line. A condition of approval is recommended that drainage from the roof of the structure shall flow onto the applicant's property to ensure that water does not run onto the adjacent properties from the structure. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The reduced interior side yard setback proposed by Variance 1 is considered to provide sufficient outdoor amenity space for the dwelling and adequate distance from the interior side yard. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is requested to permit an existing accessory shed located 0.31 metres to the rear and 0.26 metres to the side lot line. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Stephen Dykstra', is written over a horizontal line.

Stephen Dykstra, Planner III, Development