

Filing Date: 14-Apr-2021

Hearing Date: 11-May-2021

File: A-2021-0092

**Owner/
Applicant:** Benny Wong, Amy Wong and Richard Wong – Contact Info: Chuck Zhou
11 SMALLWOOD RD, BRAMPTON, ON L7A4Y7

Ward: Ward 6

Contact: Tejinder Sidhu, Planner I, Development

Recommendations:

That application is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Public Notice;
 2. The owner shall obtain a building permit within 60 days of the decision of approval or within an extended period of time as approved by the Director of Development Services; and
 3. 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 -12.5 – Special Section 2212 (R1F-2212), according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a rear yard setback of 1.8m (5.91 ft.) to a proposed deck and landing whereas the by-law requires a rear yard setback of 3.5m (11.48 ft.) to a wood deck off the main floor.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Medium Density' in the Mount Pleasant Secondary Plan. 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 Single Detached F -12.5 – Special Section 2212 (R1F-2212), according to By-law 270-2004, as amended. The variance is requested to facilitate the construction of a proposed deck and landing which would encroach into the required rear yard setback.

The intent of regulating rear yard setbacks to a proposed deck and landing is to maintain privacy and views for properties at the rear of the property as well as ensure that sufficient outdoor amenity space is provided for the property. The subject property backs onto a Floodplain in which a pedestrian walkway as well as a lake (stormwater pond) are located. As it relates to outdoor amenity space, sufficient amenity area is still maintained and the proposed deck and landing will help to further enhance the amenity space for the property by facilitating construction of a deck. Based on this, there are no privacy concerns in regard to these lands. Subject to the recommended conditions of approval, the requested variance is considered to maintain the intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance is to permit a reduced rear yard setback of 1.8m (5.91 ft.) to a proposed deck and landing. This variance is not anticipated to have any impacts to adjacent residential properties and to the Floodplain lands that the property backs onto. A condition of approval is recommended that the variance be approved only to the extent shown on the sketch attached to the public notice. 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 variance to permit a reduced rear yard setback to the proposed deck and landing is considered to be minor in nature, subject to the recommended conditions of approval.

Respectfully Submitted,

Tejinder Sidhu

Tejinder Sidhu, Planner I, Development