



Report Committee of Adjustment

Filing Date: May 26, 2021
Hearing Date: June 22, 2021

File: A-2021-0125

**Owner/
Applicant:** MOHAMMED RAHMAN AND SIRAT SIRAJI

Address: 81 Ready Court

Ward: WARD 4

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0125 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 a Limited Site Plan application shall be submitted within 90 days of the Committee's decision 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 D (R1D)', *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 1.6m (5.25 ft.) to a proposed second storey addition above the existing garage whereas the by-law requires a minimum side yard setback of 1.8m (5.91 ft.) to the second storey.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated "Residential" in the Official Plan and "Medium Density Residential" in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The requested variance is to permit an interior side yard setback of 1.6m (5.25 ft.) to a proposed second storey addition above the existing garage whereas the by-law requires a minimum side yard setback of 1.8m (5.91 ft.) to the second storey. 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 variance represents a 0.20m (0.65 ft.) reduction from what the by-law permits. In the case of the subject property, there is sufficient spatial separation between adjacent properties and the proposed addition. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The proposed variance is requested to permit a reduced side yard setback to a proposed second storey addition. There exist similar examples of second storeys above garage on Ready Court. A condition of approval is recommended that a Limited Site Plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services. The intent of the Limited Site Plan process is to ensure that the design of the addition is consistent with the character of the neighbourhood. Subject to the recommended conditions of approval, the proposed variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is to allow a 0.20m (0.65 ft.) reduction to the interior side yard setback as it relates to a proposed second storey addition above the garage. Subject to the recommended conditions of approval, the variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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