



Report Committee of Adjustment

Filing Date: May 14, 2021
Hearing Date: June 22, 2021

File: A-2021-0114

**Owner/
Applicant:** GAYATRI ANAND

Address: 3 Haggert Avenue South

Ward: WARD 3

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0114 is supportable, subject to the following conditions being imposed:

1. That the extend of the variances be limited to that show on the sketch attached to the Notice of Decision;
 2. That drainage on adjacent properties not be adversely impacted;
 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 Extended One - R2B(1)', *according to By-law 270-2004, as amended.*

Requested Variances:

The applicant is requesting the following variances:

1. To permit a front yard setback of 3.08m (10.10 ft.) to a proposed single storey porch addition whereas the by-law requires a minimum front yard setback of 6.0m (19.68 ft.);

2. To permit lot coverage of 31.32% whereas the by-law permits a maximum lot coverage of 30%;
3. To permit an interior side yard setback of 0.65m (2.13 ft.) to an existing shed located within a required interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

Current Situation:

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

The property is designated 'Central Area' in the Official Plan and 'Medium Density Residential' in the Downtown Brampton Secondary Plan (Area 7). The nature and extent of the requested variances are 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 property is zoned 'Residential Extended One - R2B(1)', according to By-law 270-2004, as amended.

Variance 1 is requested to permit a front yard setback of 3.08m (10.10 ft.) to a proposed single storey porch addition whereas the by-law requires a minimum front yard setback of 6.0m (19.68 ft.). The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking, landscaped area and consistency in the siting of houses along a street.

It is noted that the front lot line of the property fronting Haggert Avenue South is diagonal which contributes to a smaller front yard setback to the east of the property. When considering the proposed addition, the front yard setback ranges from 3.08 metres to 4.44 metres. In this case, the property is the only dwelling with a frontage along Haggert Avenue South located between Jessie Street and Royce Avenue. Therefore, there is no immediate reference point for which a consistent siting of houses can be maintained for this portion of Haggert Avenue South. On-site parking is provided with an asphalt driveway situated on the northwest side of the property. As such, the proposed addition is not anticipated to negatively impact the provision of parking and sufficient landscaped area is maintained. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit lot coverage of 31.32% whereas the by-law permits a maximum lot coverage of 30%. The intent of the By-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate relative to the size of the property and does not detract from the provision of outdoor amenity area on the property.

The proposed addition will add approximately 8.26% to the overall lot coverage for a total of 31.32%. The size of the lot is small and a 1.32% increase in lot coverage is not anticipated to detract from the provision of outdoor amenity area on the property. Subject to the recommended conditions of

approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit an interior side yard setback of 0.65m (2.13 ft.) to an existing shed located within a required interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.). The intent of the By-law in requiring a minimum interior side yard setback is to ensure that sufficient space is maintained to access the rear yard of the property and for drainage.

The existing accessory structure (shed) is situated in the west corner of the property which is deemed to be the interior side yard. The existing 0.65 metres interior side yard setback is not considered to have negative impacts on access to the rear yard or drainage. A condition of approval is recommended that drainage on adjacent properties not be adversely impacted. Subject to the recommended conditions of approval, the 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 variances associated to the proposed addition are required to facilitate a residential addition at the front of the existing dwelling. The reduced front yard setback and increased lot coverage are not anticipated to negatively impact the landscaped area or parking on the property and are not anticipated to pose additional negative on-site or off-site concerns. Subject to the conditions of approval, the requested variances are desirable for the appropriate development of the land.

The variance related to the interior side yard setbacks for the existing accessory structure are not anticipated to pose adverse impacts on-site or off-site. Subject to the conditions of approval, the requested variances are desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances to permit a reduced front yard setback and an increased lot coverage are not anticipated to negatively impact the provision of parking, landscaped area, or the building siting on the street and will facilitate an expansion of the residential dwelling. A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the notice of decision to ensure that the setback is consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

The variance concerning the interior side yard setback of the accessory structure does not restrict access to the rear yard or affect drainage on the property. The requested variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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