



## Report Committee of Adjustment

**Filing Date:** June 11, 2021

**Hearing Date:** July 13, 2021

**File:** A-2021-0139

**Owner/  
Applicant:** SANJEEV DAWAR AND PUNEET DAWAR

**Address:** 9 Zachary Drive

**Ward:** WARD 2

**Contact:** François Hémon-Morneau, Planner I

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### **Recommendations:**

That application A-2021-0139 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. The owner shall obtain a building permit within 60 days of the decision of approval;
  3. That the sunroom addition remains in its current one storey configuration;
  4. That roof drainage from the sunroom shall flow onto the applicant's property and that drainage on adjacent properties shall not be adversely affected; and,
  5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

The applicant is requesting variances to permit an existing sunroom addition at the rear of the dwelling and to permit a reduction to the minimum permeable landscape strip along the side lot line.

### Existing Zoning:

The property is zoned 'Residential Single Detached D (R1D)', *according to By-law 270-2004, as amended.*

**Requested Variances:**

*The applicant is requesting the following variances:*

1. To permit a rear yard setback of 4.49m (14.73 ft.) to an existing sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a permeable landscape strip of 0.24m (0.80 ft.) between the existing driveway and the side lot line whereas the by-law requires a minimum permeable landscape strip of 0.6m (1.97 ft.) along the side lot line.

**Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Snelgrove-Heartlake Secondary Plan (Area 1). The requested variances, subject to the recommended conditions of approval, 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

Variance 1 is to permit a rear yard setback of 4.49m (14.73 ft.) to an existing sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the Zoning By-law in regulating the minimum rear yard setback is to allow for adequate amenity space, and consistent separation distance between structures.

The requested 3.01m (9.97 ft.) reduction in the minimum rear yard setback requirement applies only to the width of the existing sunroom addition. The addition is not considered to significantly impact the provision of amenity space in the rear yard and sufficient separation between neighbouring dwellings and structures are maintained. The requested variance is considered to maintain the general intent and purpose of the zoning by-law.

Variance 2 is to permit a permeable landscape strip of 0.24m (0.80 ft.) between the existing driveway and the side lot line whereas the by-law requires a minimum permeable landscape strip of 0.6m (1.97 ft.) along the side lot line. The intent of the By-law in requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

Staff have reviewed the variance and the reduced permeable landscape strip along the lot line is not anticipated to negatively impact drainage on the subject property and adjacent properties. A condition of approval is recommended so that drainage on adjacent properties shall not be adversely affected. 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 rear yard setback variance requested to permit the existing sunroom addition to the single detached dwelling will not alter the character of the area. Subject to the recommended approval conditions, the proposed variance is desirable for the appropriate development of the land.

Variance 2 is requested to allow the existing 0.24m (0.80 ft.) of permeable landscaping along the side lot line. The existing hard landscaping strip is situated along the side lot line and extends along the side yard to the rear yard. The existing hardscaped path in the side yard is not anticipated to cause negative on-site or off-site impacts to drainage. Subject to the recommended conditions, the requested variance is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

Variance 1, pertaining to the existing sunroom addition is not considered to create any negative impacts. The variance is deemed minor in nature.

Variance 2 to permit 0.24m (0.80 ft.) of permeable landscaping along the side lot line is requested for an existing hard landscaping treatment extending along the side yard to the rear yard. The proposed variance is nominal in nature and are not anticipated to negatively affect the drainage on the property. The requested variance is considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

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