



Report Committee of Adjustment

Filing Date: July 2nd, 2021
Hearing Date: August 3rd, 2021

File: A-2021-0147

**Owner/
Applicant:** RUTH ELEANOR WEST

Address: 141 ELIZABETH STREET SOUTH

Ward: WARD 3

Contact: Simon Lacoste, Assistant Development Planner

Recommendations:

That application A-2021-0147 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 drainage on adjacent properties shall not be adversely affected;
 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 B (R1B)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit lot coverage of 34.46% whereas the by-law permits a maximum lot coverage of 30%;
2. To permit an existing accessory structure (shed) in the rear yard having a setback of 0.32m (1.05 ft.) to the rear lot line and 0.38m (1.25 ft.) to the interior side lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot line.

Current Situation:

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

The property is designated as "Residential" in the Official Plan and "Low Density Residential" in the Brampton Flowerstown Secondary Plan (Area 6). The nature and extent of the requested variances do not impact Official Plan policies. They 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 Single Detached B (R1B)' according to by-law 270-2004, as amended.

Variance 1 is to permit lot coverage of 34.46% 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 21.66 sq. m (233.15 sq. ft.) to the overall dwelling size of 128.18 sq. m (1379.72 sq. ft.). This will add approximately 7.11% to the lot coverage for a total of 34.46%. This increase in lot coverage is not anticipated to detract from the provision of outdoor amenity area for the property. The addition is appropriately sized for the property and it is not visible from the street. Consequently, the property will not look overbuilt following its construction. Also, the backyard area will continue to include sufficient space for amenities and recreation. The addition is replacing an existing deck in the backyard that had the same setback as 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.

Variance 2 is to permit an existing accessory structure (shed) in the rear yard having a setback of 0.32m (1.05 ft.) to the rear lot line and 0.38m (1.25 ft.) to the interior side lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot line. The intent of the By-law in requiring minimum interior side and rear yard setbacks is to ensure that sufficient space is maintained for drainage and to avoid impacts on adjacent properties.

The existing accessory structure (shed) is situated in the northwest corner of the property which is deemed to be the interior side yard. It is also located next to an existing accessory structure in the adjoining lot. The existing rear and side yard setbacks are not considered to have negative impacts on drainage or the adjacent property. As a condition of approval, it 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

Variance 1 is associated with the proposed addition is required to facilitate a residential addition at the back of the existing dwelling. The increased lot coverage is not anticipated to negatively impact

the amenity area on the property and will not pose additional negative on-site or off-site concerns. Subject to the conditions of approval, the requested variance is considered desirable for the appropriate development of the land.

Variance 2 is related to the interior side yard and rear yard setbacks for the existing accessory structure. The existing condition of the shed is 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 variance to permit an increased lot coverage is not anticipated to negatively impact the site's amenity area and will facilitate an expansion of the residential dwelling. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the notice of decision to ensure that the addition is consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

The variances concerning the interior side and rear yard setbacks of the accessory structure do not restrict access to the rear yard or affect drainage on the property. The requested variances are considered minor in nature.

Respectfully Submitted,

Simon Lacoste

Simon Lacoste, Assistant Development Planner