



Report Committee of Adjustment

Filing Date: August 16, 2021
Hearing Date: September 14, 2021
File: A-2021-0191
**Owner/
Applicant:** RAM KONGARA AND SRIDEVI KONGARA
Address: 28 Locomotive Crescent
Ward: WARD 6
Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0191 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 the primary entrance to the second unit shall not be used to access an unregistered second unit;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached F (R1F-9-2201)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To allow a path of travel of 0.92m to the primary entrance to the second unit whereas the by-law requires a path of travel of 1.2m to the primary entrance to the second unit.

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low/Medium Density Residential' in the Mount Pleasant Secondary Plan (Area 51). The nature and extent of the proposed 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 variance is requested to allow a path of travel of 0.92m to the primary entrance to the second unit whereas the by-law requires a path of travel of 1.2m to the primary entrance to the second unit. The intent of the By-law in requiring a minimum path of travel of no less than 1.2 metres (3.93 feet) where access to a second unit is provided through a door located in the side yard or rear yard is to ensure that there is sufficient area to act as the primary access to a second unit for both every day and emergency purposes.

The variance relates to a 0.92m (3.02 ft.) path of travel to a primary entrance to a second unit located at the rear of the dwelling. The reduced path of travel is attributable to an existing front porch to the main entrance of the dwelling at the front of the building. The required path of travel width of 1.2m (3.93 ft.) will be maintained beyond the porch. As such, sufficient space is provided to access the second unit for both every day and emergency purposes. The reduced path of travel is not considered to significantly impact access to the entrance located at the rear of the dwelling. The variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The owners are requesting a variance to allow a reduced path of travel to the primary entrance to the second unit. The variance is required due to the existing conditions of a front porch which serves as the primary access to the dwelling. The variance is not considered to have negative impacts to the property or adjacent properties. A condition of approval is recommended that the primary entrance to the second unit shall not be used to access an unregistered second unit. The variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The variance is proposed to accommodate an entrance to a second unit with a reduced path of travel. The proposed reduction in the path of travel is not expected to impede of the ability for residents and emergency services to access the second unit at the rear of the building. The variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I