

**Filing Date:** August 16, 2021  
**Hearing Date:** September 14, 2021

**File:** A-2021-0186

**Owner/  
Applicant:** SANTOSH SEETHARAMAN/ HARINI JEGANNATHAN

**Address:** 2 Forestgrove Circle

**Ward:** 2

**Contact:** Xinyue (Jenny) Li, Planner 1

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**Recommendations:**

That application A-2021-0186 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 drainage from the accessory structure shall flow onto the applicant's property;
  3. That the accessory building shall not be used as a separate dwelling unit;
  4. That the applicant shall obtain a building permit for the building addition at the discretion of the Chief Building Official;
  5. That the below grade entrance shall not be used to access an unregistered second unit;
  6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void
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**Background:**

Staff have noted that upon completing the site inspection that additional variances are required for the location and setbacks with respect to the existing storage shed.

Existing Zoning:

The property is zoned Residential Street Townhouse B (R3B 629)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To allow an existing accessory structure (storage shed) to be located in the front half of the interior side yard with a setback of 0.34m from the side lot line, whereas the by-law requires that an accessory structure located in the interior side yard shall not encroach into the minimum required 4m side yard setback and that the accessory building shall not be located closer to the front wall of the main building than one-half ( $\frac{1}{2}$ ) the length of the main building wall facing the interior side lot line.
2. To permit a building addition having an interior side yard setback of 3.22m, whereas the bylaw requires a minimum interior side yard setback of 4.0m for a lot abutting a reserve or landscaped buffer block.

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the official Plan and 'Low Density 1 Residential' in the Snelgrove-Heart Lake (Area 1). The Residential designation supports the current use and the requested variance is not considered to have significant impacts within the context of the Official Plan. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned 'Residential Street Townhouse B (R3B 629)', according to By-law 270-2004, as amended.

Variance 1 is to allow an existing accessory structure (storage shed) to be located in the front half of the interior side yard with a setback of 0.34m from the side lot line, whereas the by-law requires that an accessory structure located in the interior side yard shall not encroach into the minimum required 4m side yard setback and that the accessory building shall not be located closer to the front wall of the main building than one-half ( $\frac{1}{2}$ ) the length of the main building wall facing the interior side lot line. The intent of the by-law in requiring minimum setbacks for accessory structure is to ensure sufficient space is provided for drainage. The subject property is located on a corner lot with no adjacent property in the side yard where the existing storage shed is currently situated. The storage shed is not anticipated to negatively impact drainage. Subject to the

recommended conditions of approval, variance one is considered to maintain the intent of the zoning By-law.

Variance 2 is to permit a building addition (enclosed below grade entrance) having an interior side yard setback of 3.22m, whereas the bylaw requires a minimum interior side yard setback of 4.0m for a lot abutting a reserve or landscaped buffer block. The intent of the by-law in requiring a minimum interior side yard setback to an enclosure is to ensure that there is no visual impact on the streetscape. The below grade entrance is entirely screened by the fence and trees and it is screened from the street. Subject to the recommended conditions of approval, variance two is considered to maintain the intent of the zoning by-law.

### 3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit the existing location of the accessory structure in the front half of the interior side yard. The accessory structure is not anticipated to negatively impact drainage on the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit a building addition (enclosed below grade entrance) having a reduced side yard setback of 3.22m and is not considered to have a negative visual impact on the streetscape as the property is located on a corner lot and the side yard is enclosed by a fence. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The requested variance to permit the existing accessory structure with reduced setbacks as well as the building addition (enclosed below grade entrance) are not anticipated to have negative impacts on the adjacent property as the property is located on a corner lot and it will not have a visual impact on the street since the enclosed below grade entrance is screened by a fence. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,



Xinyue (Jenny) Li,  
Planner I, Development Services