

Filing Date: September 16, 2020

Hearing Date: October 20, 2020

File: A-2020-0086

**Owner/
Applicant:** AMANDA SALMOND AND MICHAEL BENNIE

Address: 42 Greystone Crescent

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0086 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; and
2. 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 B (R1B)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 1.489m (4.89 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to a second storey;
2. To permit an existing accessory structure (storage shed) having a side yard setback of 0.15m (0.50 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all property lines;

3. To permit an existing accessory structure (storage shed) having a rear yard setback of 0.30m (0.98 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all property lines.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Residential" in the Official Plan and "Low Density Residential" in the Brampton Flowertown Secondary Plan (Area 6). The requested variances are not considered to have significant impacts within the context of the Official Plan Policies. Subject to the recommended conditions of approval, the requested variances are 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 Single Detached B (R1B)" according to By-law 270-2004, as amended.

Variance 1 is to permit an interior side yard setback of 1.489m (4.89 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to a second storey. The intent of the by-law in requiring a minimum interior side yard setback to the second storey of a dwelling is to ensure that sufficient building separation is maintained and massing does not negatively impact adjacent properties. The proposed reduction in setback is reflective of the existing setback of the first storey, and will allow for sufficient separation between the dwellings and the massing of the addition is not anticipated to negatively impact adjacent properties. Subject to the recommended conditions of approval, the Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variances 2 and 3 are related to an existing shed in the rear yard of the dwelling. The intent of the by-law in regulating the minimum interior and rear yard setbacks of an accessory structure is to ensure that sufficient area is provided for drainage. Engineering staff have reviewed the property and determined that, due to the drainage design of the property, no negative impacts are anticipated from the locations of the shed and no associated conditions of approval are recommended. Subject to the recommended conditions of approval, the Variance 3 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 relates to a proposed building addition on the second storey of the existing dwelling. Currently, a portion of the dwelling is two storeys and it is the intent of the homeowner to extend the second storey to the other portion of the dwelling. The proposed setback is consistent with the setback of the dwelling on the first storey.

Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 3 are related to an existing accessory shed in the rear yard of the property. Due to the drainage design of the property and overall area, the location of the shed is not anticipated to have any negative impacts on drainage in the area. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 to permit an interior side yard setback of 1.489m (4.89 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to a second storey is considered to represent a nominal reduction in the required interior side yard that will be virtually imperceptible from the public realm. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variances 2 and 3 relate to an existing accessory structure in the rear yard. The structure provides additional storage space for the primary dwelling and its location is not anticipated to negatively impact drainage in the area. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development