



Report Committee of Adjustment

Filing Date: September 28, 2021

Hearing Date: October 26, 2021

File: A-2021-0230

**Owner/
Applicant:** SADAT ZEHRI AND NIGHAT ZEHRI

Address: 18 WILLERTON CLOSE

Ward: WARD 1

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0230 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 not be adversely impacted;
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 Semi-Detached 2 (R2A(2)-283)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an increase in the existing legal non-complying lot coverage from 32.98% to 41.03% resulting from a proposed rear yard building addition whereas the by-law permits a maximum lot coverage of 30%;

2. To permit a rear yard setback of 4.8m (15.75 ft.) to a proposed rear yard building addition whereas the by-law requires a minimum rear yard setback of 7.625m (25 ft.).

Current Situation:

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

The subject property is designated "Residential" in the Official Plan and "Low Density" 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. The requested variances are considered to maintain the general intent of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit an increase in the existing legal non-complying lot coverage from 32.98% to 41.03% resulting from a proposed rear yard building addition 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 applicant is proposing to construct a 22.48 sq. m (241.97 sq. ft.) unheated building addition at the rear of the dwelling. A variance is required for a lot coverage increase of 11.03% from what the By-law permits and an increase of 8.05% from the existing legal non-complying lot coverage. The building addition and associated increase in lot coverage is considered appropriate relative to the size of the property and is not anticipated to detract from the provision of outdoor amenity area on the property. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit a rear yard setback of 4.8m (15.75 ft.) to a proposed rear yard building addition whereas the by-law requires a minimum rear yard setback of 7.625m (25 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient outdoor amenity space is provided on the property for the main dwelling.

As a result of the proposed building addition, the applicant is requesting a 2.82m (9.25 ft.) decrease to the minimum rear yard setback. This rear yard setback reduction is not anticipated to significantly limit the provision of outdoor amenity space provided on the property. 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

The applicant proposes to construct a rear building unheated addition which requires variances to increase the maximum lot coverage and a decrease to the rear yard setbacks. A condition of approval is recommended that drainage on adjacent properties not be adversely impacted. Subject to the recommended conditions of approval, the requested variances are not anticipated to generate

negative impacts on-site or off-site and are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed variances are not anticipated to negatively impact the subject property or adjacent properties. The increase lot coverage and reduced rear yard setback resulting from the building addition are not expected to significantly limit the provision of outdoor amenity space provided on the property. The requested variances, subject to the recommended conditions of approval, are considered to be minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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