



## Report Committee of Adjustment

**Filing Date:** July 15, 2022  
**Hearing Date:** August 23, 2022

**File:** A-2022-0215

**Owner/  
Applicant:** KARAN SHARMA AND GURMANNAT SINGH

**Address:** 24 Stanwell Drive

**Ward:** WARD 2

**Contact:** Mohammed Jalabi, Assistant Development Planner

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### Recommendations:

That application A-2022-0215 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 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 Semi-Detached A(2) (R2A(2)-313)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a 0.93m (3.05 ft.) wide path of travel leading to a principal entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the principal entrance for a second unit;
2. To permit an above grade door in a side yard having a width of 0.93m (3.05 ft.) whereas the by-law permits an above grade door in the side wall of a dwelling provided that the side yard width is a minimum 1.2m (3.94 ft.);

### Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Snelgrove-heart lake Plan (Area 1). The nature and extent of the proposed variances 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

Variance 1 is requested to permit a 0.93m (3.05 ft.) wide path of travel leading to a principal entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.). The intent of the by-law in requiring a minimum path of travel of no less than 1.2m (3.94 ft.) 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.

Variance 2 is requested to permit an above grade door in a side yard having a width of 0.93m (3.05 ft.) whereas the by-law permits an above grade door in the side wall of a dwelling provided that the side yard width is a minimum 1.2m (3.94 ft.). The intent of the by-law in requiring a minimum amount of interior side yard setback is to ensure that there is adequate room available to allow for drainage and access to the rear yard.

The owner is proposing to construct an above grade door in the side yard for principle entrance to a second unit. The location of the proposed above-grade entrance and resulting setback is not considered to negatively impact drainage or limit access to the rear yard. The reduced path of travel is not anticipated to significantly limit access to the entrance and is considered to be appropriate for both daily and emergency use. Variances 1 and 2 are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to permit a proposed above grade door in the side yard to be used as a principle entrance for a second unit. Subject to the recommended condition of approval, the variances are considered desirable for the appropriate development of the land as they do not generate negative impacts on-site or off-site.

4. Minor in Nature

The application seeks to permit the location of an above-grade entrance and path of travel in order to facilitate the creation of a second dwelling unit on the property. The requested variances pertaining to the proposed below grade entrance are deemed minor in nature.

Respectfully Submitted,

Mohammed Jalabi

Mohammed Jalabi, Assistant Development Planner