



Report Committee of Adjustment

Filing Date: August 16, 2022
Hearing Date: September 23, 2022
File: A-2022-0265
**Owner/
Applicant:** RAY GUNNESS AND MELANIE GUNNESS
Address: 22 Newbridge Crescent
Ward: Ward 4
Contact: Mohammed Jalabi, Assistant Development Planner

Recommendations:

That application A-2022-0265 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 above grade entrance shall not be used to access an unregistered second unit;
 3. That drainage on adjacent properties shall not be adversely impacted;
 4. The owner shall obtain a building permit for the existing side door within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
 5. 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)-187)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a 1.02m (3.47 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a 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 Density Residential' in the Bramalea Secondary Plan (Area 3). 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 and purpose of the Official Plan.

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

The Variance is requested to permit a 1.02m (3.47 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit. The intent of the by-law in requiring a minimum 1.2m (3.94 ft.) width between the front wall of the dwelling up to and including the door and a minimum path of travel 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 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. Variance 2 is 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 required in order to permit a path of travel leading to a principle entrance for a second unit. The variances are not considered to have negative impacts on 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 variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances for the construction of a path of travel are not considered to have significant impact on drainage or limit everyday use and access to the property. The variance is deemed to be minor in nature.

Respectfully Submitted,

Mohammed Jalabi

Mohammed Jalabi, Assistant Development Planner