



Report Committee of Adjustment

Filing Date: August 10, 2022
Hearing Date: September 13, 2022
File: A-2022-0255
**Owner/
Applicant:** SANDEEP SANDHU AND VALENTINA PRABHJOT KAUR SANDHU
Address: 23 Hoyle Drive
Ward: WARD 10
Contact: Simran Sandhu, Assistant Development Planner

Recommendations:

That application A-2022-0255 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 is not adversely affected;
 3. That the primary entrance to the second unit shall not be used to access an unregistered second unit;
 4. 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 Single Detached D (R1D)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit 0.0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side lot line;

2. To permit a 0.93m (3.05 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 further designated 'Low/Medium Density Residential' in the Bram East Secondary Plan (Area 41). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. The nature and extent of the proposed variance is 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 0.0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side lot line. The intent of the by-law is requiring a minimum permeable landscape strip is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The variance relates to the second variance for the existing concrete path extending from the east to the west along the exterior to provide passage to the secondary entrance. While the concrete path is built up to the property line, it is not considered to significantly impact drainage or contribute a substantial loss of landscaped open space on the property. A condition of approval is recommended that drainage on adjacent properties shall not be adversely affected. Staff is satisfied with the current conditions involving the permeable landscaping adjacent to the side lot line for drainage. Subject to the recommended condition of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit a 0.93m (3.05 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 everyday 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

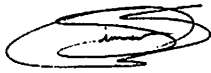
Variance 1 and 2 relate to an existing reduced path of travel to a principal entrance to a second unit and removal of permeable landscaping abutting the side lot line. The variances are not considered to have negative impacts on the property or adjacent properties. A condition of approval is recommended

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 variances are proposed to accommodate a reduced path of travel and removal of permeable landscaping abutting the side lot line. The remaining area of 0.93m (3.05 ft.) is not considered to significantly limit everyday use and serve as the main entrance to a second unit. The variances are not expected to have any adverse impacts on drainage, and are considered minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Simran Sandhu', enclosed within a hand-drawn oval border.

Simran Sandhu, Assistant Development Planner