



## Report Committee of Adjustment

**Filing Date:** September 6, 2022

**Hearing Date:** October 4, 2022

**File:** A-2022-0284

**Owner/**

**Applicant:** RAYMAN ALILAIN & IVY ALILAIN

**Address:** 22 Willow Heights Court

**Ward:** Ward 9

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

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### **Recommendations:**

That application A-2022-0284 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;
  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 Single Detached C (R1C)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a rear yard setback of 4.88m (16 ft.) to a proposed one storey sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 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 Residential' in the Springdale Secondary Plan (Area 2). The requested variances are not in conflict with the policies of the Official Plan. The general intent and purpose of the Official Plan is maintained.

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

Variance 1 is requested to permit a rear yard setback of 4.88m (16 ft.) to a proposed one-story sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in regulating the minimum rear yard setback is to allow for adequate amenity space, and consistent separation distance between structures.

The variance is required to facilitate the location of the sunroom addition. The proposed rear yard setback of 4.88m (16 ft.) is 2.62m (8.6 ft.) less than the required 7.5m (24.60 ft.). Upon conducting a site visit, staff observed that the proposed sunroom setback is not anticipated to negatively impact the amount of amenity space provided in the rear yard and that there would still be adequate separation distance between structures. The lot is irregular in shape given the context of the property and backs onto a ravine. The remaining setback of 4.88m (16 ft.) is considered adequate to accommodate the proposed sunroom addition without generating negative impacts to adjacent properties. Subject to the recommended conditions, the requested variance maintains the general purpose and intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The rear yard setback variance requested to permit the one story sunroom addition to the single detached dwelling is not considered to alter the character of the property or impact adjacent properties. The size and location of the sunroom is considered to be appropriate given the context of the site. Subject to the recommended conditions of approval, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The variance pertaining to the sunroom addition is not anticipated to create any negative impacts. The development does not pose any significant issues to the subject property nor to adjacent properties. Subject to the recommended conditions of approval, the variance is deemed minor in nature.

Respectfully Submitted,

*Mohammed Jalabi*

Mohammed Jalabi- Assistant Development Planner