



Report Committee of Adjustment

Filing Date: September 12, 2022

Hearing Date: October 25, 2022

File: A-2022-0302

Owner/

Applicant: HARINDEPRAL SHEENA & SANDEEP KAUR

Address: 1 NOTMAN WAY

Ward: Ward 6

Contact: Mohameed Jalabi, Assistant Development Planner

Recommendations:

That application A-2022-0076 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. The owner shall obtain a building permit for the sunroom addition shed within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
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 Single Detached D (R1D)', 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 3.6m (11.81 ft.) to a proposed sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.), which may be reduced to a minimum of 6.0m (19.68 ft.) provided that the area of the rear yard is at least 25% of the minimum required lot area.

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/Medium Density Residential' in the Fletchers Meadow Secondary Plan (Area 44). 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

The variance is requested to permit a rear yard setback of 3.6m (11.81 ft.) to a proposed sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.), which may be reduced to a minimum of 6.0m (19.68 ft.) provided that the area of the rear yard is at least 25% of the minimum required lot area. 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 and property limits.

The variance is required to facilitate the location of the sunroom addition. The addition is not considered to negatively impact the provision of amenity space in the rear yard and sufficient separation between neighbouring dwellings and structures is maintained. The proposed set back is 3.9m (12.79 ft.) less than the required setback of 7.5m (24.60 ft.) Upon site inspection staff observed that a setback of 3.9m (12.79 ft.) is considered appropriate to maintain adequate separation distance and not impact 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 is requested to permit the sunroom addition at the rear of the single detached dwelling. Staff do not anticipate the sunroom to alter the character of the property or impact adjacent properties. The structure is considered appropriately sized given the site context and location being at the rear of the dwelling. Subject to the recommended approval conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is not considered to create any negative impacts. It maintains sufficient distance of 3.9m (12.79 ft.). A condition of approval is recommended that the owner shall obtain a building permit for the sunroom addition within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official. Subject to the recommended conditions of approval, the variance is deemed minor in nature.

Respectfully Submitted,

Mohammed Jalabi

Mohammed Jalabi Assistant Development Planner