



Report Committee of Adjustment

Filing Date: November 8th, 2022
Hearing Date: December 6th, 2022

File: A-2022-0365

**Owner/
Applicant:** Rajiv Krishna and Yashikaa Arora

Address: 2 Intrigue Trail

Ward: 5

Contact: Rabia Ahmed, Planner I

Recommendations:

That application A-2022-0365 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the city's road allowances;
 3. 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 E-15.1' (R1E-15.1-1451), according to By-law 270-2004 as amended.

Requested Variance:

The applicants are requesting the following variances:

1. To permit 0.18m (0.60 ft.) of permeable landscaping between the side lot line and the driveway, whereas the by-law requires a minimum of 0.6m (1.97 ft.) permeable landscaping between the side lot line and the driveway;
2. To permit two (2) accessory structures (sheds) to be located in the exterior side yard whereas the by-law does not permit accessory structures in the exterior side yard;
3. To permit a setback of 0.56m (1.84 ft.) to two (existing 2) accessory structures (sheds) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to an accessory structure.

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 1' within the Credit Valley Secondary Plan (Area 45). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of the Official Plan and Secondary Plan policies, and maintain the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Single Detached E-15.1' subject to Special Section 1451 (R1E-15.1-1451), according to By-law 270-2004, as amended.

Variance 1 is requested to permit 0.18m (0.60 ft.) of permeable landscaping between the side lot line and the driveway, whereas the by-law requires a minimum of 0.6m (1.97 ft.) permeable landscaping between the side lot line and the driveway. The intent of the by-law in requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The reduction in permeable landscaping along the side lot line still allows for adequate drainage on the property, and is not considered to adversely affect drainage on adjacent properties. The subject site also contains adequate permeable landscaping on the opposite side of the driveway to provide sufficient drainage.

Variance 2 is requested to permit two (2) accessory structures (sheds) to be located in the exterior side yard whereas the by-law does not permit accessory structures in the exterior side yard. Variance 3 is requested to permit a setback of 0.56m (1.84 ft.) to two (existing 2) accessory structures (sheds) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to an accessory structure.

The intent of the by-law in prohibiting accessory structures in the exterior side yard is to ensure that the appearance of the structure does not negatively impact the overall streetscape. The intent of the by-law in requiring a minimum exterior side yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard. The existing accessory structure is within a fenced rear yard and therefore does not negatively impact the overall streetscape. The placement of the accessory structure does not adversely impact access to the rear yard. The requested reduction

in the exterior side yard setback is very minor and does not adversely impact drainage on adjacent properties.

Subject to the recommended conditions of approval, the variances maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance to permit a reduction in permeable landscaping along the side lot line is not anticipated to have a significant impact on drainage or the streetscape.

The variances to permit two accessory structures in an exterior side yard, and permit a reduction in the exterior side yard setback of 0.04m (0.13 ft.) from the minimum required in the bylaw does not adversely affect the streetscape, drainage on the subject property or adjacent properties, or access to the rear yard.

Subject to the recommended conditions of approval, the requested variances are desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances to permit a reduction in the permeable landscaping along the side lot line and to permit two accessory structures in an exterior side yard, with a 0.04m (0.13 ft.) reduction in the required side yard setback, are not anticipated to have significant adverse impacts on adjacent properties, drainage on the subject property, or impact the view of the streetscape. Subject to the recommended conditions of approval, the variances are minor in nature.

Respectfully Submitted,

Rabia Ahmed

Rabia Ahmed, Planner I