



Report Committee of Adjustment

Filing Date: October 10, 2022

Hearing Date: January 24, 2023

File: A-2022-0341

**Owner/
Applicant:** NANDINI SHUKLA AND PARV JOHARI

Address: 9 Callalily Road

Ward: WARD 2

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2022-0341 be deferred no later than the last hearing of April 2023.

Background:

Existing Zoning:

The property is zoned 'Residential Rural Estate Two (RE2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard;
2. To permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

Current Situation:

The applicant is requesting variances to permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard; and permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

Upon a site visit and a review of the application, there were concerns regarding drainage between side yard property lines and edge of concrete walkway as requested in variances 1 and 2. Furthermore, the Engineering staff have advised that the owner shall provide a minimum 0.6m (2ft.), for drainage purposes, between side yard property lines and edge of concrete walkway to the satisfaction of the commissioner of Public Works and Engineering. The Applicant/Owner are currently considering a reconfiguration of the below-grade entrance to an above-grade entrance with the removal of the existing concrete walkway.

Staff are recommending a deferral of the application to a date no later than the last hearing of April 2023, to allow sufficient time for the applicant to provide updated information regarding the reconfiguration of the entrance and for staff to review and provide feedback as necessary. Staff have discussed the matter with the applicant and will be working closely with them to resolve any concerns prior to presenting a recommendation to the Committee of Adjustment.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician