

Filing Date: October 9, 2020
Hearing Date: November 10, 2020

File: A-2020-0108

**Owner/
Applicant:** ANNA CICIONE

Address: 6 Mill Street South

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0108 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 the applicant submit elevations of the proposed addition and that those elevations shall be approved to the satisfaction of the Director of Development Services prior to construction commencing;
3. That drainage on adjacent properties shall not be impacted;
4. 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 B (R1B)" 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 4.71m (15.45 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a lot coverage of 35.08% whereas the by-law permits a maximum lot coverage of 30%;

3. To permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated as "Residential" in the Official Plan and "Low Density Residential" in the Downtown Brampton Secondary Plan (Area 7). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

Variances 1 and 2 are requested to facilitate an expansion to an existing one storey addition at the rear of the residential dwelling.

Variance 1 is to permit a rear yard setback of 4.71m (15.45 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that adequate rear yard outdoor amenity space is provided for the residential dwelling and to avoid any impacts from massing on adjacent properties. The proposed addition will be one storey in height which does not pose concerns from a perspective of massing. Further, the rear yard setback still allow adequate rear yard amenity space. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit a lot coverage of 35.08% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in limiting lot coverage is to ensure that the size of the dwelling constructed on the lot is appropriate for the size of the lot and character of the neighbourhood. The proposed increase of 5.08% is not anticipated to negatively impact the appropriateness of the size of the dwelling for the neighbourhood. Further, the addition will be on the rear of the dwelling which will limit its impact on the streetscape. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is requested to permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line. The intent of the by-law in regulating a minimum setback to all lot lines for accessory structures is to ensure adequate room is provided for drainage. A condition of approval is recommended that drainage on adjacent properties shall not be impacted to ensure that drainage is contained within the subject property, which is consistent with the design of the accessory structure's roof. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 and 2 are requested to facilitate an expansion to an existing one storey addition at the rear of the residential dwelling.

Variance 1 is to permit a rear yard setback of 4.71m (15.45 ft.) to a proposed addition. The reduced rear yard setback is anticipated to still provide sufficient rear yard amenity space for the property, and the one storey nature of the addition does not pose concerns with regard to massing. A condition of approval is recommended that the applicant submit elevations of the proposed addition and that those elevations shall be approved to the satisfaction of the Director of Development Services prior to construction to ensure that the addition is appropriate size and design for the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variance 2 is to permit a lot coverage of 35.08% related to the proposed one storey addition at the rear of the property. The requested increase in lot coverage is not anticipated to negatively impact the overall scale of the dwelling as it relates to the lot and neighbourhood. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is requested to permit an existing accessory structure located 0.0m from the side and rear lot lines. A condition of approval is recommended that drainage from the roof of the structure shall flow onto the applicant's property to ensure that water does not run onto the adjacent properties from the structure. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The reduced rear yard setback proposed by Variance 1 is considered to provide sufficient outdoor amenity space for the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an increase in lot coverage of 5.08%. This increase is modest in nature and will not facilitate the construction of an oversized dwelling. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 is requested to permit an existing accessory shed located 0.0m from the side and rear lot lines. The existing shed does not appear to be impacting drainage on either the subject or adjacent property. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development