



Report Committee of Adjustment

Filing Date: December 22nd, 2023
Hearing Date: February 14th 2023

File: A-2022-0409

**Owner/
Applicant:** PARDEEP NIJJAR AND PARAMJIT MIJJAR

Address: 8613 CREDITVIEW RD

Ward: WARD 4

Contact: Samantha Dela Pena, Assistant Development Planner

Recommendations:

That application A-2022-0409 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 Notice of Decision;
 2. That the applicant be advised that the amount of glazed openings for the addition will be restricted based on the limiting distance, and is required to conform to Division B, 9.10.15.4. of the Ontario Building Code; and
 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 - Special Section 18.3-2096 (R1E-18.3-2096)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variance:

1. To permit a rear yard setback of 2.93m (9.61 ft) for a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.0m (22.96 ft).

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and is further designated "Executive Residential" in the Credit Valley Secondary Plan (Area 45). The requested variances are 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 and purpose of the Official Plan.

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

The variance is requested to permit a rear yard setback of 2.93m (9.61 ft) for the addition of a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.0m (22.96 ft). The intent of the by-law in regulating a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property and to mitigate any adverse impacts to abutting properties. As the proposed sunroom addition does not extend to the entirety of the proposed rear yard setback, staff is of the opinion that a sufficient amenity area is maintained. Furthermore, staff is also of the opinion that the proposed reduced rear yard setback does not adversely impact neighboring properties, as the massing of the proposed structure is sufficiently setback from the rear property line. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to permit proposed site conditions for a rear yard setback of 2.93m (9.61 ft). Staff are of the opinion that the proposed setback maintains a sufficient amenity area for the residents. The width of the proposed sunroom is approximately 4.6m, despite the proposed setback reduction the remainder of the existing dwelling will maintain the required rear yard setback as per the zoning by-law. A condition of approval is recommended that the applicant be advised that the amount of glazed openings for the addition will be restricted based on the limiting distance, and is required to conform to Division B, 9.10.15.4. of the Ontario Building Code. Staff are of the opinion, that the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The proposed rear yard setback is not considered to significantly impact abutting properties, although a reduction in rear yard setbacks is proposed, the proposed sunroom addition maintains the height and side yard setback requirements as per the Zoning By-law. Staff are satisfied that the rear yard can adequately manage site drainage and no adverse impacts are projected on the subject property or neighboring properties. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,



Samantha Dela Pena, Assistant Development Planner

Appendix A:

