



Report Committee of Adjustment

Filing Date: May 23, 2023
Hearing Date: June 20, 2023

File: A-2023-0160

**Owner/
Applicant:** Raminder Pal Singh Saini and Baljeet Saini

Address: 84 Blue Bonnet Dr

Ward: 4

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2023-0160 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 drainage on adjacent properties should not be adversely affected;
 3. The Owner shall obtain owner shall obtain a building permit for the building addition (sunroom) within 60 days of the decision of approval or extended at the discretion of the Chief Building Official;
 4. 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 C (R1C)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an existing building addition having a rear yard setback of 5.34m (17.52 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

Current Situation:

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

The subject property is designated as 'Residential' in the Official Plan and 'Low and Medium Density Residential' in the Fletchers Creek South Secondary Plan (Area 24). The request variance associated with the proposed sunroom addition are consistent with the character of the surrounding neighborhood. Subject to the recommended conditions of approval, the general intent and purpose of the Official Plan is maintained.

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

The property is zoned 'Residential Single Detached C (R1C)', according to By-law 270-2004, as amended.

The variance is requested to permit an existing building addition having a rear yard setback of 5.34m (17.52 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 for the residential dwelling and to avoid any impacts from massing on adjacent properties.

The existing addition is one storey in height which does not pose any concerns from a perspective of massing. As per a site visit conducted by Staff, it was determined that a setback of 5.34m is sufficient for the rear yard amenity area for the property (see Appendix A). Furthermore, a fence is located along the property line, the existing one-storey addition and rear yard setback is screened in a manner that does not negatively impact adjacent properties. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit an existing site condition for a reduced rear yard setback in order to facilitate a 3.50m (11ft 6 inch) one-storey addition to the existing dwelling in the rear yard. While full setback requirements of the Zoning By-law are not maintained, staff are satisfied that the remaining rear yard amenity space is sufficient at the rear of the property. Furthermore as the property includes fencing along the rear property line, both the proposed addition to the existing dwelling and reduced rear yard amenity area is screened in a manner that does not negatively impact neighboring adjacent properties. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The variance is requested to permit existing site conditions for a reduced rear yard setback in relation to a one storey addition to the dwelling in the rear yard. Following a staff review of the application and

surrounding context, staff observed that sufficient rear yard area for landscaping, drainage and outdoor amenity space is maintained. Staff are of the opinion that the 2.16m (7.08 ft.) reduction in the rear yard is minor and will not contribute to any negative impact to the rear yard amenity area of the property. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

Appendix A – Site Visit Photos

