

Filing Date: February 28th, 2023

Hearing Date: June 20th, 2023

File: A-2023-0056

**Owner/
Applicant:** TANWAR ABHISHEK SINGH

Address: 24 GRAND RIVER COURT

Ward: WARD 8

Contact: Samantha Dela Pena, Assistant Development Planner

Recommendations:

That application A-2023-0056 be deferred no later than the last hearing of August 2023.

Background:

This minor variance application was submitted on February 28th, 2023, to permit an existing carport located outside the approved building envelope and to permit a 0.54m (1.78 ft) setback to an existing accessory structure (shed). The application was previously deferred to a hearing no later than the last hearing of June 2023 in order to address neighbour concerns regarding drainage.

Existing Zoning:

The property is zoned 'Residential Townhouse A(4) Zone Special Section 2774 – (R3A(4)-128)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To vary Schedule 'C', Section 128 of the by-law to permit a carport located outside the approved building envelope, whereas the by-law requires that all buildings be constructed in accordance with Schedule 'C', Section 128 to the by-law; and
2. To permit a 0.54m (1.78 ft) setback to an existing accessory structure (shed), whereas the by-law requires a minimum 0.6m (1.97 ft) setback to an accessory structure.

Current Situation:

The applicant is proposing to permit existing site conditions for an as-built carport outside of the permitted building envelope as defined by Schedule C-128 and an accessory structure (shed) with a reduced setback to the nearest property lines. The intent of the by-law in regulating a property via a Schedule C provision is to provide a visual representation of the building area on the property. This type of regulation is typically associated with older areas of the City.

Staff recommend that the application be deferred no later than the last hearing of August 2023 in order to grant enough time for the applicant to obtain a copy of the easement from the land registry to confirm if the carport is located on an existing easement and if the easement permits structures to be constructed above it. Staff have advised the applicant that if the carport is found to be located on an easement as per the land registry, planning staff would not be supportive of the requested variance to permit the existing carport. This additional time will also allow sufficient time for staff to review and provide additional feedback as necessary.

Respectfully Submitted,



Samantha Dela Pena, Assistant Development Planner