

**To:** Committee of Adjustment  
**From:** Garrett Dvernichuk, Building Standards Department  
**Date:** June 15, 2022  
**Applicant:** Zakir and Aliya Mandozai  
**Location:** PLAN 65M4557 Lot 70 municipally known as 465 Kleinburg Summit Way  
**File No.(s):** A083/22

**Zoning Classification:**

The subject lands are zoned R3 – Third Density Residential Zone and subject to the provisions of Exception 14.1041 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	Open, unenclosed access stairs are permitted to encroach into a required interior side yard a maximum of 0.3 metres. [4.13, Table 4-1]	To permit access stairs to encroach into the required interior side yard setback a maximum of 0.91 metres.
2	Unless otherwise expressly permitted by this By-law, a minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line. [4.13 3]	To permit a minimum distance of 0.3 metres from access stairs to the interior side lot line.
3	Hard landscape is permitted to encroach into a required yard up to 0.6 m from any lot line. [4.13, Table 4-1]	To permit hard landscape to encroach up to 0.0 m from the interior side lot line.

The subject lands are zoned RD3 – Residential Detached Zone Three and subject to the provisions of Exception 9(1414) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
4	The minimum interior side yard setback to a door shall be 1.8 metres where a door providing access to the dwelling or an attached garage. [4.22.3, Schedule A3, General Note C]	To permit a minimum interior side yard setback of 1.21 metres to a door providing access to the dwelling.
5	Exterior stairways may extend into a required interior side yard to a maximum distance of 0.3 metres. [3.14 c)]	To permit the proposed exterior stairway to extend into the required interior side yard a maximum distance of 0.91 metres.

**Staff Comments:**

**Stop Work Order(s) and Order(s) to Comply:**

There are no outstanding Orders on file

**Building Permit(s) Issued:**

Building Permit No. 17-002082 for Single Detached Dwelling - Alteration, Issue Date: Nov 01, 2017

**Other Comments:**

General Comments	
1	The Site Plan submitted for review is not consistent with the information on the survey on file for this lot. A revised Site Plan that references a survey was requested to complete a zoning review. Please note that this zoning review was carried out solely on the information submitted by the applicant. Any discrepancy between the information provided to support this Minor Variance application any subsequent application for Building Permit may result in noncompliance. Please note that any Site Plan submitted to obtain a building permit must reference the survey from which the information taken.
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

\* Comments are based on the review of documentation supplied with this application.