

To: Committee of Adjustment
From: Christian Tinney, Building Standards Department
Date: June 15, 2023
Applicant: Shamin Ali & Zhanna Prokopchuk
Location: 86 Hailsham Court
 PLAN 65M4250 Lot 15
File No.(s): A027/23

Zoning Classification:

The subject lands are zoned R1 – First Density Residential Zone and subject to the provisions of Exception 14.968 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum interior side yard setback required is 2.4 metres. [Section 4.1.2 (1)(b)]	The permit a minimum interior side yard setback of 1.23 metres to a Cabana.
2	The maximum height of an accessory building permitted is 3.0 metres. [Section 4.1.4 (1)]	To permit a maximum building height of 3.45 metres.
3	The maximum encroachment of a heat pump or similar equipment permitted is 1.5 metres into the required rear yard. [Table 4-1]	To permit a heat pump (pool equipment) to encroach a maximum of 6.89 metres into the required rear yard.
4	Any portion of a yard in excess of 135 m ² shall be comprised of 60% soft landscape is required. [Section 4.19.1.1 and Section 3]	To permit a minimum of 50% of the rear yard over 135 m ² be comprised of soft landscape

The subject lands are zoned RD1 – Residential Zone and subject to the provisions of Exception 9(1333) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
5	The minimum rear yard setback required is 7.5 metres. [Section 4.1.1, c)]	The permit a minimum rear yard setback of 4.23 metres to a Cabana.
6	Heat Pump Units are permitted to encroach a maximum of 1.5 metres into the required rear yard. [Table 4-1]	To permit a heat pump (pool equipment) to encroach a maximum of 6.89 metres into the required rear yard.
7	Where the area of a rear yard of a lot is greater than 135 sq. m., a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping.	To permit a minimum of 50% of the rear yard over 135 m ² be comprised of soft landscape.

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. 22-109700 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

Other Comments:

General Comments	
1	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.