



Report Committee of Adjustment

Filing Date: February 16, 2024

Hearing Date: March 19, 2024

File: A-2024-0049

**Owner/
Applicant:** Karandeep Saini
Sandeep Malhotra

Address: 55 Vivian Crescent

Ward: 4

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0049 be deferred until the last hearing of May 2024.

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached C – Special Section 3414 (R1C-3414)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a dwelling unit (garden suite) located 2.75 metres from a rail line right-of-way, whereas the by-law does not permit any dwelling units located closer than 15 metres to a rail line right-of-way;
2. To permit a lot coverage of 37.98%, whereas the by-law permits a maximum lot coverage of 30%; and
3. To permit a total of 1 parking space, whereas the by-law requires a minimum of 3 parking spaces.

Current Situation:

The Minor Variance application has been submitted regarding a garden suite setback to a rail line right-of-way, lot coverage, and to permit a total of 1 parking space, whereas the by-law requires a minimum of 3 parking spaces.

Staff have reviewed the submission materials and have no concerns at this time regarding variances 1 and 2. Staff are aware that there is a legally registered Additional Residential Unit located within the primary residential dwelling. As this application will be used to facilitate the creation of a garden suite at the rear of the property, the Zoning By-law requirements for Additional Residential Units states that one additional parking space is required for lots that contain two ARUs. In the case of the subject property, the requirement cannot technically be met due to the property limits not extending across the entirety of the existing driveway. Furthermore, staff have received floor plans for the garage to confirm that only one (1) car can be parked inside. With the current site conditions, the property fails to meet the general residential requirements to provide a minimum of two parking spaces for the primary residential unit on the site. Staff require additional time to evaluate the merits of the requested variances given the limits of the property boundaries.

At this time, staff would like to request the consent of the Committee for additional time to review the requested variance. Staff will be working closely with the applicant to resolve any concerns prior to presenting a recommendation to the Committee of Adjustment. Therefore, staff are recommending that this minor variance application be deferred no later than the last hearing of May 2024 to allow sufficient time for the applicant to support the proposed 3-unit development, as well as include a revised plan to address the above noted matters.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos



Appendix B – Property Boundaries

