



Report Committee of Adjustment

Filing Date: March 22nd, 2024

Hearing Date: April 23rd, 2024

File: A-2024-0091

Owner/

Applicant: DAVID MUSCILLO / SUKHJIT JOSAN

Address: 59 CADILLAC CRESCENT

Ward: WARD 6

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0091 be refused.

Background:

The applicant is requesting two variances tied to the parking space located within the existing attached garage. According to the information provided within the application and sketch, the property owner has converted a portion of the attached garage to a laundry room. In turn, this has reduced the parking space size below the minimum zoning requirements.

Existing Zoning:

The property is zoned 'Residential Semi-Detached – Special Section 1150 (R2A – 1150)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit the interior of a garage having a rectangular area of 2.7m by 5.0m whereas the by-law requires the interior of a garage to have a minimum rectangular area of not less than 2.7m by 5.4m;
2. To permit a parking space depth of 5.0m whereas the by-law requires a minimum parking space depth of 5.4m

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low / Medium Density' Fletchers Meadow Secondary Plan (Area 44). The requested variances are not considered to have significant impacts within the context of the Official Plan. The nature and extent of the proposed variances are considered to maintain the general intent and purpose of the Official Plan.

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

Variance 1 and 2 are requested to permit the interior of a garage having a rectangular area of 2.7m by 5.0m whereas the by-law requires the interior of a garage to have a minimum rectangular area of not less than 2.7m by 5.4m and to permit a parking space depth of 5.0m whereas the by-law requires a minimum parking space depth of 5.4m.

The intent of the By-law in requiring a minimum parking space size, including depth, is to ensure that it is adequately sized to fit the majority of automobiles. The interior space of a garage serves not only as a parking spot for vehicles but also as storage space, accommodating items such as garbage bins. In this instance, the reduction results in a 0.4m (1.31 ft.) shallower parking space. The proposed parking space depth reduction to 5.0m has been reviewed by Traffic Services staff and is not considered sufficient for parking or storage of garbage bins within the garage. Given these minimum standards the proposed variances are not considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances to permit a reduced interior of the garage and a reduced parking space depth are not considered to be desirable due to the inability for current and future parking needs on site. The 5.0m requested parking space depth will not allow for appropriate function of the garage for parking use. Both Variance 1 and Variance 2 are not considered desirable for the appropriate development of the land.

4. Minor in Nature

The applicant is requesting two variances tied to the parking space located within the existing attached garage. According to the information provided within the application and sketch, the property owner has converted a portion of the attached garage to a laundry room. In turn, this has reduced the parking space size below the minimum zoning requirements. The resulting site conditions within the attached garage are considered to negatively impact the function of the designated parking space within the attached garage. The variances are not considered to be minor in nature and it is recommended that they be refused.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner