



Report Committee of Adjustment

Filing Date: May 13, 2021

Hearing Date: June 22, 2021

File: A-2021-0113

**Owner/
Applicant:** HAIMRAJEE LAKERAM

Address: 128 Bloomsbury Avenue

Ward: WARD 10

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0113 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential Single Detached (R1A-1934)', *according to By-law 270-2004, as amended.*

Requested Variances:

The applicant is requesting the following variance:

1. To permit a setback of 4.77m (15.65 ft.) to the door of a proposed garage extension whereas the by-law requires a minimum setback of 6m (19.68 ft.) to the front of the garage door;
2. To permit an existing driveway width of 12.1m (39.70 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Residential' in the Vales of Castlemore Secondary Plan (Area 5). The requested variance is not considered to have significant implications within the context of the Official Plan. Subject to the recommended conditions of approval, the requested variance is 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 is requested to permit a setback of 4.77m (15.65 ft.) to the door of a proposed garage extension whereas the by-law requires a minimum setback of 6m (19.68 ft.) to the front of the garage. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area.

The variance is required to facilitate the construction of a proposed extension to the existing attached garage. The addition is planned to extend the garage wall to enclose the space in order to align the garage with the existing front façade. The variance is primarily attributable to the shape of the lot and the curvature of Bloomsbury Road. The proposed extension is not anticipated to limit the provision of parking in the front yard or reduce existing landscaped area. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit an existing driveway width of 12.1m (39.70 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.). The intent of the By-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

The main portion of the existing driveway was expanded by 0.61m (2.0 ft.) to the north and to the south with a concrete walkway. An additional 1.96m (6.43 ft.) of concrete walkway was added to create a path to the front porch steps. The variance is not considered to dominate the front yard landscaped area and is not anticipated to provide sufficient space to allow an excessive number of vehicles to be parked in front of the dwelling. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance to reduce the minimum required front yard setback to 4.77 metres will facilitate the construction and extension to a portion of the existing attached garage. The adjustment will enable the enclosure of that garage portion and contribute to the alignment of the front façade. The variance associated to the proposed addition is not anticipated to pose negative on-site or off-site concerns. The requested variance is desirable for the appropriate development of the land.

The variance to permit an existing driveway width of 12.1m (39.70 ft.) is considered appropriate given the size of the property and the landscaping in the front yard. No negative visual or functional impacts are anticipated on the property. The requested variance is desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 relates to a proposed extension of an existing attached garage. The existing shape of the lot and the curvature of the road are factors contributing to the reduced front yard setback. The scale of the addition is minimal and no negative impacts associated with the requested variance are anticipated. The requested variance is considered minor in nature.

Variance 2 relates to an existing increase in driveway width. Given the size of the property, the width of the driveway does not create negative impacts in terms of loss of landscape open space or facilitate an excessive number of vehicles to be parked in front of the dwelling. The requested variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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