



Report Committee of Adjustment

Filing Date: May 26, 2021
Hearing Date: June 22, 2021

File: A-2021-0120

**Owner/
Applicant:** Michael Cachia & Stefanie Cachia

Address: 38 Watson Crescent

Ward: WARD 3

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0120 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance 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 B (R1B)', *according to By-law 270-2004, as amended.*

Requested Variance:

The applicant is requesting the following variance:

1. To permit a setback of 5.26m (17.26 ft.) from a garage opening to the front lot line whereas the by-law requires a minimum setback of 6.0m (19.68 ft.);
2. To permit a parking space having a minimum depth of 5.26m (17.26 ft.) whereas the by-law requires a minimum depth of 5.4m (17.72 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The requested variance has no impact within the context of the policies of the Official Plan. The general intent and purpose of the Official Plan is maintained.

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

Variance 1 is requested to permit a setback of 5.26m (17.26 ft.) from a garage opening to the front lot line whereas the by-law requires a minimum setback of 6.0m (19.68 ft.). 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 conversion of an existing car-port to an enclosed garage. The addition is planned to enclose the car-port while maintaining the footprint of the existing car-port. As a result, the proposed addition is not anticipated to impact 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 to permit a parking space having a minimum depth of 5.26m (17.26 ft.) whereas the by-law requires a minimum depth of 5.4m (17.72 ft.). The intent of the By-law in requiring a minimum parking space depth is to ensure sufficient space is provided for a parked vehicle.

The existing driveway extends past the property line to the edge of the street. The variance is required due to the portion of the driveway situated between the street and the subject property is not owned by the owner. Given the actual length of the driveway, the request to permit a parking space having a reduced minimum depth is not anticipated to create negative impacts or restrict the ability for vehicles to park on the driveway. 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 5.26 metres will facilitate the construction of an enclosed single car garage in the footprint of the existing car-port. The variance associated with the proposed addition is not anticipated to pose negative on-site or off-site concerns. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision.

The variance to reduce the minimum depth required for a parking space is not considered to create negative impacts on-site or off-site. Subject to the recommended conditions of approval, the requested variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 relates to a proposed enclosure of an existing car-port to create a single car garage. The scale of the addition is minimal as it will occupy the existing footprint of the car-port and no negative impacts associated with the requested variance are anticipated. Variance 2 relates to a reduced parking space depth which is not anticipated to restrict parking on site. The requested variances are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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