



Report Committee of Adjustment

Filing Date: May 30, 2022

Hearing Date: July 12, 2022

File: A-2022-0183

**Owner/
Applicant:** MICHELE PANNOZZO AND GISELE ZANNELLA

Address: 12 Cathcart Crescent

Ward: WARD 7

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2022-0183 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 the owner shall obtain a building permit for the carport within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
 3. That drainage on adjacent properties shall not be adversely impacted and that drainage from the existing carport roof shall flow onto the applicant's property; and
 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The owner is requesting a variance to permit the location of an existing carport addition. Variances are sought to allow a reduction to the interior side yard setback and an increase to the total lot coverage related to the carport.

Existing Zoning:

The property is zoned 'Residential Semi-Detached A(1) (R2A(1))', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 0.07m (0.23 ft.) to an existing carport whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.);
2. To permit lot coverage of 45% whereas the by-law permits a maximum lot coverage of 30%.

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 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variances have no impact within the context of the policies 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 is requested to permit an interior side yard setback of 0.07m (0.23 ft.) to an existing carport whereas the by-law requires a minimum interior side yard setback of 3m (9.84 ft.). The intent of the by-law in requiring a minimum interior side yard setback is to ensure that there is adequate room available to allow for drainage and that access to the rear yard is not obstructed.

Variance 2 is requested to permit a lot coverage of 45% whereas the by-law permits a maximum lot coverage of 33.3%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling or structures are appropriate relative to the size of the property and that they do not detract from the provision of outdoor amenity area on the property.

The owner has constructed a carport within the required interior side yard resulting in a setback of 0.07m (0.23 ft.). The carport is constructed and designed in a manner that is not considered to impact drainage or obstruct access to the rear yard. The structure does not detract from the provision of outdoor amenity area on the property. A condition of approval is recommended that drainage on adjacent properties shall not be adversely impacted and that drainage from the existing carport roof shall flow onto the applicant's property.

The increased lot coverage is attributable to the existing carport located on the northeast side of the dwelling. The carport was constructed with an open ended design which maintains access to the rear yard. Overall, the carport structure is subordinate to the dwelling and is not considered to be inappropriate in scale or contribute to a sense that the property is overdeveloped with structures. A condition of approval is recommended that the owner shall obtain a building permit for the carport within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official.

Subject to the recommended conditions of approval, variances 1 and 2 are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to allow an existing carport structure attached to the dwelling with reduced interior side yard. Despite the reduced setback, the carport is not considered to impact access to the rear yard given its configuration. A condition of approval is recommended that drainage from the existing carport roof shall flow onto the applicant's property. The increased lot coverage resulting from the carport is also not considered to limit access and amount of amenity space on the property. Subject to the recommended condition of approval, the variances are considered desirable for the appropriate development of the land as they do not generate negative impacts on-site or off-site.

4. Minor in Nature

The requested variances associated with the existing carport structure attached to the northeast side of the dwelling are not considered to have significant impact on drainage or limit access to the rear of the property. Although an increase in lot coverage is requested, the resulting structure is not considered to negatively impact the character of the property or pose negative impacts. Variances 1 and 2 are deemed minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I