



Report Committee of Adjustment

Filing Date: July 4, 2022
Hearing Date: August 2, 2022

File: A-2022-0207

**Owner/
Applicant:** SONIA SINGH AND RANJEET SINGH

Address: 18 Gladeview Court

Ward: WARD 4

Contact: François Hémon-Morneau, Planner III

Recommendations:

That application A-2022-0207 is supportable, subject to the following conditions being imposed:

1. That variance 1 to permit a driveway width of 15.1m (49.54 ft.) be limited to that shown on Appendix A depicting the revised driveway layout;
 2. That the extent of the variances 2 and 3 be limited to that shown on the sketch attached to the Notice of Decision;
 3. 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 E-18 (R1E-18-2859)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 15.1m (49.54 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);

2. To permit an individual accessory structure (storage shed) having a gross floor area of 55.75 sq. m (600 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
3. To permit an accessory structure (storage shed) having a height of 5.0m (16.40 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure.

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' in the Credit Valley Secondary Plan (Area 45). 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

The first variance is requested to permit a driveway width of 15.1m (49.54 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 owner is proposing to widen the driveway with interlock with the intended purpose to facilitate the creation of a walkway and seating area in front of the dwelling. The extended area is considered to be part of the driveway because there is no physical barrier separating the driveway from the walkway. The sketch attached to the public notice depicts a proposed extension which is not supported by Traffic Services and Open Space as it could facilitate additional vehicular parking and negatively impact the growth of the existing tree. The applicant has revised the layout of the proposed driveway expansion to address the concerns raised by staff. The new driveway layout seeks to limit potential impacts to the street tree and limit additional vehicular parking in front of the dwelling's entrance. The revised driveway layout is not anticipated to negatively impact the streetscape or facilitate the parking of an excessive number of vehicles. Although the variance is requesting a 5.96m (19.54 ft.) increase to the width of the driveway from what the by-law permits, staff are supportive of the variance subject to the driveway being constructed in accordance with the revised layout as shown on Appendix A. Subject to the recommended condition of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit an individual accessory structure (storage shed) having a gross floor area of 55.75 sq. m (600 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure. The intent of the by-law in regulating the maximum permitted floor area of an accessory structure is to ensure that the size of the structure does not negatively impact the provision of outdoor amenity space for the property.

The third variance is requested to permit an accessory structure (storage shed) having a height of 5.0m (16.40 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure. The intent of the by-law in regulating the permitted height of an accessory structure is to ensure that the structure does not have negative massing impacts on adjacent properties.

The owner is proposing to construct an accessory structure (storage shed) in the south west corner of the rear yard. The subject property is located at the end of Gladeview Court on a pie-shaped lot. The irregular-shaped lot has a large rear yard capable of accommodating the proposed 55.75 sq. m (600 sq. ft.) accessory structure without negatively impacting the provision of outdoor amenity space on the property. The owner is also requesting a variance to allow a 2m (6.56 ft.) height increase to the storage shed from what the By-law permits. Given that the structure is proposed to be constructed at the rear of the property, away from other buildings and sufficiently setback from adjacent properties, the height of the structure is not anticipated to pose negative massing impacts on adjacent properties. While the overall size and height of the storage shed is larger than what the by-law permits, the structure will remain subordinate in size relative to the existing dwelling. Variances 2 and 3 are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

A variance is requested to allow the width of a proposed driveway expansion to facilitate the construction of a walkway and seating area in front of the dwelling. The applicant has provided staff with a revised site plan drawing depicting a driveway layout which limits potential impacts to the existing tree and reduces the ability for additional vehicles to be parked in front of the dwelling's entrance. Subject to the recommended conditions of approval, the variance is considered desirable for the appropriate development of the land.

The owners are requesting variances to facilitate the construction of a proposed storage shed in the rear yard of the residential property. The subject property is a pie-shaped lot with a large rear yard and sufficient separation between adjacent properties. Given the size of the lot and rear yard, the overall size and height of the accessory structure is not anticipated to cause negative visual impacts or contribute to a significant loss of outdoor amenity space. It is noted that all proposed structures will maintain minimum setback requirements. As a result, no negative impacts are anticipated on-site or off-site. Variances 2 and 3 are considered desirable for the appropriate development of the land.

4. Minor in Nature

The subject property is located at the end of a Court within a residential area of the City with medium to large sized lots. The proposed driveway width will facilitate a walking and seating area for the residents of the dwelling. The revised drawing (Appendix A) demonstrates a new driveway layout which limits negative impacts to the streetscape and existing tree. Subject to the recommended conditions of approval, the variance is deemed minor in nature.

Considering the shape and size of the property, the proposed accessory structure (storage shed) is not anticipated to detract from access to outdoor amenity space or create adverse impacts on-site or off-

Respectfully Submitted,
François Hémon-Morneau
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