



## Report Committee of Adjustment

**Filing Date:** June 16, 2022  
**Hearing Date:** August 2, 2022

**File:** A-2022-0198

**Owner/  
Applicant:** MIKE CHRISTOFIDES, ELENA CHRISTOFIDES AND NEOPHYTOS CHRISTOFIDES

**Address:** 11 Jayfield Road

**Ward:** WARD 8

**Contact:** François Hémon-Morneau, Planner III

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### **Recommendations:**

That application A-2022-0198 is supportable in part, subject to the following conditions being imposed:

1. That Variance 5 to permit 0.0m of permeable landscaping adjacent to the side lot line be refused;
  2. That Variance 4 be limited to a maximum driveway width of 8.04m (26.37 ft.).
  3. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  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 owners are proposing to construct an 11.5 sq. m (123.78 sq. ft.) attached garage extension to the existing residential dwelling. Variances are requested for a reduction to the front yard setback and an increase to the lot coverage. Additional variances are needed to permit existing site conditions relating to the width of the driveway, elimination of permeable landscaping adjacent to the side lot line, and setbacks for a shed. It is noted that there is an existing rear yard addition constructed without a building permits which contributes to the lot coverage increase.

### Existing Zoning:

The property is zoned 'Residential Single Detached B1 (R1B(1)-113)', according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit a front yard setback of 5.54m (18.18 ft.) to a proposed garage extension whereas the by-law requires a minimum front yard setback of 6.0m (19.68 ft.);
2. To permit lot coverage of 39.3% whereas the by-law permits a maximum lot coverage of 30%;
3. To permit an existing accessory structure (shed) having a setback of 0.43m (1.41 ft.) to the side lot line and 0.56m (1.84 ft.) to the rear lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines;
4. To permit a driveway width of 8.64m (28.35 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24 ft.);
5. To permit 0.0m of permeable landscaping adjacent to the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping adjacent to the side lot line.

**Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Medium Density 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 general intent and purpose of the Official Plan is maintained.

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

The first variance is requested to permit a front yard setback of 5.54m (18.18 ft.) to a proposed garage extension whereas the by-law requires a minimum front yard 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 owner is proposing to construct an 11.5 sq. m (123.78 sq. ft.) attached garage extension resulting a 0.46m (1.50 ft.) reduction to the minimum front yard setback. The extension is proposed to be one storey in height and will extend 2.13m (6.98 ft.) beyond the wall of the existing garage. Despite this proposed front yard setback reduction, sufficient area will remain for vehicular parking on the driveway and landscaped area in front of the dwelling. The addition is not considered to be a significant deviation from what the by-law permits. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit lot coverage of 39.3% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate relative to the size of the property and does not detract from the provision of outdoor amenity area on the property.

A proposed total coverage of 225.82 sq. m (2430.70 sq. ft.) is requested to facilitate the new garage extension and existing rear yard addition on the 574 sq. m (6178.48 sq. ft.) lot. This represents a 9.3% increase from what the by-law permits. The existing covered rear deck addition accounts for a greater share of the increased lot coverage and does not significantly limit from the provision of outdoor amenity area in the rear yard. While a minor front yard setback reduction is also being requested to facilitate the on-storey extension of the attached garage, sufficient space will be maintained which ensures access to the property and does not significantly impact the character of the dwelling. Given the size of the property and the extent of the proposed garage extension, the increase in lot coverage is minor and not considered to contribute to a sense that the lot is over developed. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The third variance is requested to permit an existing accessory structure (shed) having a setback of 0.43m (1.41 ft.) to the side lot line and 0.56m (1.84 ft.) to the rear lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines. The intent of the by-law in requiring minimum setbacks for accessory structures is to ensure sufficient space is provided for drainage.

The existing shed is situated at the northern corner of the rear yard and requires a variance to allow reduced setbacks to the nearest lot lines. Setback reductions of 0.17m (0.55 ft.) and 0.04m (0.13 ft.) are requested for the accessory structure. The location of the existing shed is not considered to impact drainage for the subject property or adjacent properties. The variance is considered to maintain the general intent of the Zoning By-law.

The fourth variance is requested to permit a driveway width of 8.64m (28.35 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24 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 fifth variance is requested to permit 0.0m of permeable landscaping adjacent to the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping adjacent to the side lot line. The intent of the by-law in requiring a minimum permeable landscaping strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The owner is proposing to widen the existing driveway on either side with stamped concrete walkways. The existing driveway width is 5.44m (17.84 ft.) and an additional width of 1.22m (4.0 ft.) to the southeast and 1.98m (6.49 ft.) to the northwest are proposed. Cumulatively, the additional width combined with the elimination of permeable landscaping would result in a driveway width that may dominate the front of the property in a manner that limits proper drainage. The requested 0.0m of permeable landscaping adjacent to the northwestern side lot line is not supportable as its elimination may result in negative drainage impacts on-site and off-site. Staff recommend that the fifth variance be refused in order to ensure that a minimum of 0.6m (1.97 ft.) of permeable landscaping adjacent to the side lot line be maintained. The additional driveway width of 1.22m (4.0 ft.) to the southeast is not anticipated to facilitate an excessive number of vehicles to be parked in front of the dwelling. Staff recommend that a maximum driveway width of 8.04m (26.37 ft.) be approved to account for the conservation of the permeable landscaping adjacent to the side lot line. Subject to the recommended

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

### 3. Desirable for the Appropriate Development of the Land

The minor variance application requested to facilitate a proposed garage extension, alterations to the driveway, and allow existing site conditions. Variance 1 is to permit a reduced front yard setback to a proposed one-storey garage extension. The reduction is not anticipated to result in negative visual impacts to the streetscape or functional impacts relating to vehicular parking in front of the property. The variance is deemed desirable for the appropriate development of the land.

Variance 2 is to permit a 9.3% increase to the total lot coverage and is needed to allow the garage extension and existing rear covered porch addition. The increase coverage at the front of the dwelling and rear are not anticipated to result in site conditions contributing to a sense that it is over developed. Despite the lot coverage increase, sufficient amenity space at the front and rear is maintained. The variance is deemed desirable for the appropriate development of the land.

Variance 3 is requested to allow for reduced setbacks to an existing shed in the rear yard. The location of the shed and reduced setbacks is not considered to impact drainage or negatively affect adjacent property. The variance is deemed desirable for the appropriate development of the land.

Variance 4 and 5 are requested to facilitate the proposed widening of the driveway and may result in cumulative drainage impacts. Staff recommend the refusal of variance 5 to ensure the conservation of the permeable landscaping adjacent to the side lot line. Variance 4 is recommended to limit the maximum width of the driveway to ensure drainage is not impacted and so that the total width does not allow an excessive number of vehicles to be parked in front of the dwelling. Subject to the recommended conditions of approval, the variances are deemed desirable for the appropriate development of the land.

### 4. Minor in Nature

Variances to allow a decreased front yard setback and increased lot coverage will facilitate the construction of the proposed garage addition. The variances are not anticipated to result in negative on-site or off-site impacts. The variance relating to the existing setbacks for the shed in the rear yard do not impact drainage. The variances for the driveway width and elimination of permeable landscaping as requested are not supported by staff. Instead, a maximum driveway width of 8.04m (26.37 ft.) is recommended which accounts for the conservation of the 0.6m (1.97 ft.) permeable landscaping to the adjacent lot line. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

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