



Report Committee of Adjustment

Filing Date: December 15, 2020

Hearing Date: December 19, 2023

File: A-2020-0155

**Owner/
Applicant:** ESTATE OF LUISA SYLVA DeGUIA & EMELISA PINCH

Address: 93 FREDERICK STREET

Ward: WARD 3

Contact: Satwant Hothi, Planner I, Development

Recommendations:

That application A-2020-0155 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 drainage from the proposed detached garage shall flow directly onto the applicants property; and
 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 B (R1B) and further subject to provisions of the Mature Neighbourhood by-law (69-2023)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a detached garage having a gross floor area of 55.55 square meters whereas the by-law permits a detached garage with a maximum gross floor area of 48 square meters.

Current Situation:

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

The property is designated 'Central Area in the Official Plan and 'Low Density' in the Downtown Brampton Secondary Plan (Area 7). The requested variance is related to a proposed detached garage having a gross floor area of 55.55 sqm, which is 7.55 sqm in excess of the permitted maximum. The requested variance is not considered to have a significant impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approvals, the requested variance is considered to maintain the general intent of the Official Plan.

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

The property is zoned 'Residential Single Detached B (R1B) and further subject to provisions of the Mature Neighbourhood by-law (69-2023)', according to By-law 270-2004, as amended.

The variance is requested to permit a detached garage having a gross floor area of 55.55 square meters whereas the by-law permits a detached garage with a maximum gross floor area of 48 square meters. The intent of the by-law in regulating the size of the detached garage is to ensure that they are used for purposes of parking vehicles and do not visually dominant the site in terms of massing relative to the dwelling. It is of Staff's opinion that the proposed size of the garage is proportionate to the lot size and does not dominant the dwelling which is currently proposed to be a two-storey dwelling for which homeowner has already applied for a building permit. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance is to permit a detached garage with a gross floor area of 55.5 square meters. The proposed garage will be replacing an existing but deteriorating detached garage in the same relative location as seen during site visit, Appendix A. Engineering staff have not noted any drainage concerns with the proposed garage and required setbacks are maintained. Subject to the recommended conditions of approval, the variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance represents a modest relief from the Zoning By-law requirements. The nominal relief is not considered to contribute to an overdevelopment of the property and thus the requested variance, subject to the recommended conditions of approval, is considered minor in nature.

Respectfully Submitted,

S. Hothi

Satwant Hothi

