



Report Committee of Adjustment

Filing Date: April 24, 2024
Hearing Date: June 18, 2024

File: A-2024-0137

**Owner/
Applicant:** RESHMIKA PUPPALA & SIVAKANTH AKULA

Address: 78 Giraffe Avenue

Ward: WARD 9

Contact: Ellis Lewis, Planner I

Recommendations:

That application A-2024-0137 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 below grade entrance shall not be used to access an unregistered second unit;
 3. That the existing fence used to screen the below grade entrance remain as provided, and not be removed or lowered, but may be repaired or replaced when necessary;
 4. That drainage on adjacent properties shall not be adversely affected; and
 5. 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 Extended Zone- Special Section 738 (R2B-738)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an additional residential unit in a quatriplex, whereas the by-law only permits an additional residential unit in a single detached, semi-detached or townhouse dwelling; and
2. To permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and front lot line, whereas the by-law does not permit exterior stairways constructed below established grade in the required front yard.

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 Springdale Secondary Plan (Area 2). In relation to the council approved Brampton Plan, the subject property is designated as 'Neighbourhoods'.

The 'Residential' designation in the Official Plan permits residential uses as well as other complementary uses. The council approved Brampton Plan states that areas with the 'Neighbourhoods' designation shall permit an extensive range of residential uses. They will also look to improve service accessibility, social equity, walkability and promote sustainable means of transportation. Brampton Plan focuses on intensification and infill to accommodate growth in areas throughout the city, based on neighbourhood-specific needs.

The 'Medium Density Residential' designation in the Springdale Secondary Plan permits a mix of residential uses and densities in accordance with Section 4.2.1.2 of the Official Plan.

The proposed additional residential unit is not considered to detract from the planned intent and function of the subject property or the neighbourhood with respect to the Official Plan. Subject to the recommended conditions of approval, Variances 1 and 2 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 seeks to permit an additional residential unit in a quatriplex, whereas the by-law only permits an additional residential unit in a single detached, semi-detached or townhouse dwelling. The intent of the by-law in regulating the number of dwellings contained within certain forms of housing is to maintain the intended residential density and function of the subject property. The parent R2B Zoning By-law designation permits single detached and semi-detached dwellings. Special Section 738 for this property designates it to be used for a quatriplex dwelling. The quatriplex is part of a neighbourhood consisting mainly of single detached and semi-detached dwellings. Detailed reviews of basement apartment additions to quatriplexes are also completed by Building Staff to ensure living and safety concerns are evaluated.

Variance 2 is requested to permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and front lot line, whereas the by-law does not permit exterior stairways constructed below established grade in the required front yard. The intent of the by-law in regulating the allowance of exterior stairways leading to below grade entrances between the main wall of the dwelling and the front lot line yard of the property is to ensure that sufficient area is provided in the front yard for parking and landscaped area. Additionally, the intent of the by-law aims to ensure that the location of the entrance does not negatively impact the aesthetic of the overall streetscape. As the unit's entrance will be situated on the southeast corner of Giraffe Avenue and Badger Avenue, Staff do not have concerns regarding residents trespassing onto adjacent properties. The entrance will also be constructed behind an existing fence and therefore, concerns regarding the impact on streetscape and landscape are alleviated. City Engineering Staff have reviewed the submission and are satisfied with the application as it is not anticipated to negatively impact drainage on the subject parcel or abutting property and permeable landscaping will continue to surround the stairway and front yard. 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

An exterior stairway leading to a below grade entrance is being proposed within the front yard of the quatriplex. This below grade entrance is intended to function as the primary ingress and egress for the requested additional residential unit that will be within a quatriplex. The requested variance to permit an additional unit within a quatriplex is not anticipated to adversely affect the subject property, adjacent properties, or the neighbourhood. Staff note that the stairway leading to a below grade entrance will be shielded by an existing fence, mitigating concerns related to the variation of neighbourhood character. This will support the creation of 15-minute neighbourhoods, ensuring that neighbourhoods remain central, while enhancing liveability and affordability in the City of Brampton. The proposal also works towards offering a diversity of services and housing types which meet the needs of residents. Subject to the recommended conditions of approval, the Variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested addition of a residential unit in a quatriplex on the subject property is not anticipated to have significant negative impacts to the planned intent and function of the subject property, abutting properties, or within the neighbourhood. Variance 2 seeks to place the exterior stairways between the main wall of the dwelling and the front yard lot line. These variances are viewed as minor in nature because the entrance will be located behind a fence that is already constructed in the front yard. The parking lot and entrance to the home face the wider side of the subject property. The landscape that will be within the view of community members will not be affected and parking will not be minimized. The location of the exterior stairway leading to the proposed below grade entrance is considered appropriate to support the development of the additional residential unit and given the current sitting of the corner lot property. Subject to the recommended conditions of approval, Variances 1 and 2 are considered minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planner I

Appendix A:

