



Report Committee of Adjustment

Filing Date: August 17th, 2024
Hearing Date: September 17th, 2024

File: A-2024-0302
**Owner/
Applicant:** DEEPAK KUMAR & KIRANPREET KAUR

Address: 68 PROUSE DRIVE

Ward: WARD 1

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0302 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential Semi Detached (R2A)' according to By-law 270-2004, as amended and is located within a Mature Neighbourhood.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a parking space depth of 5.31 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6).

The subject property is also designated as 'Community Areas' and 'Neighbourhoods' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 24, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The nature and extent of the proposed variance is 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 variance is requested to permit a parking space depth of 5.31 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres. The intent of the By-law in requiring a minimum parking space size, including depth, is to ensure that it is adequately sized to fit the majority of automobiles without impact on the city's right of way or utilities.

The owner is proposing to reconfigure the orientation of the dwelling's front porch steps and widen the driveway to accommodate an additional vehicle. In this instance, the proposed reduction results in a 0.09 metres shallower parking space. The proposed parking space depth reduction to 5.31m has been reviewed by Traffic Services staff and is not considered sufficient for current and future parking needs of the site. Additionally, there is a utility box situated directly across the sidewalk within the City's right-of-way. The proposed parking space is expected to affect parking access and could pose a risk of damage to the utility box due to its proximity. Given these minimum standards the proposed variance is not considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance to permit a reduced parking space depth is not considered to be desirable due to the inability for current and future parking needs on site. As outlined by traffic staff the reduction would not be sufficient to meet minimum requirements for vehicular parking. The 5.31m requested parking space depth is therefore not appropriate function of the driveway for parking use and is expected to affect parking access and could pose a risk of damage to the utility box due to its proximity. The variance is not considered appropriate for the development of the land.

4. Minor in Nature

The current site conditions are considered to negatively impact the function of the designated parking space within the driveway and has the potential to negatively impact the existing utility box beyond the sidewalk. The variance is not considered to be minor in nature and it is recommended that it be refused.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

Appendix A

