



Report Committee of Adjustment

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

File: A-2024-0311
**Owner/
Applicant:** SATNAM KAINTH

Address: 12 GARRISON SQUARE

Ward: WARD 8

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0311 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential Townhouse – Special Section 128', 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 more than one additional residential units on a lot having less than one parking space for each unit whereas the by-law requires one additional parking space (in addition to parking required by Section 10.9) on a lot having more than one additional residential unit.

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 Residential' in the Brampton Flowertown (Area 6). The requested variances are not considered to have significant impacts within the context of the Official Plan.

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, 2024, 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 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

Variance 1 is requested to permit more than one additional residential units on a lot having less than one parking space for each unit whereas the by-law requires one additional parking space (in addition to parking required by Section 10.9) on a lot having more than one additional residential unit. The intent of the By-law in requiring a minimum amount of parking spaces on a given lot is to accommodate for parking needs on the property.

The owner is proposing to widen the existing driveway for two new parking spaces to accommodate an additional residential unit. Due to requirements for unobstructed access to the entrance of the additional residential unit, a new driveway configuration is proposed. Staff are of the opinion that the provision of sufficient parking on site would not be accommodated by the proposal and significantly reduce the amount of landscaping at the front of the property. Given the site context a reduced requirement for parking spaces on site does not maintain the general intent and purpose of the zoning by-law.

3. Desirable for the Appropriate Development of the Land

The variance is requested to permit more than one additional residential units on a lot having less than one parking space for each unit. Due to the location of the primary entrance to the additional residential unit, the required path of travel is encumbered by the existing parking space. As a result, the owner is proposing to widen the driveway to provide the required parking spaces. The current and future residential needs of the site would be compromised due to the inability for adequate provision of appropriate parking on site with a reduction in required parking. The variance is not considered desirable for the appropriate development of the land.

4. Minor in Nature

The resulting site conditions with a reduction in parking provision is considered to negatively impact the function of the designated driveway for both current and future needs of the site. The proposal will result in a substantial reduction of landscaping in the front yard of the property. 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:

