



Report Committee of Adjustment

Filing Date: September 04, 2024
Hearing Date: October 15, 2024

File: A-2024-0332

Owner/ **Jaspreet Narwal, Hameet Narwal, Jaspreet Johal**

Applicant: **Shivang Tarika**

Address: **14 Dawes Road**

Ward: **WARD 5**

Contact: **Emily Mailling, Planning Technician**

Recommendations:

That application A-2024-0332 be refused.

Background:

The applicant is requesting two variances tied to the elimination of the parking space located within the existing attached garage and a reduced parking space depth on a proposed driveway space. According to the information provided within the application and sketch, the property owner intends to convert a portion of the attached garage to accommodate access to a proposed secondary unit. In turn, this will reduce the parking space size below the minimum zoning requirements.

Existing Zoning:

The property is zoned 'Residential Special Section 1300 (R1D – 1300)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a parking space depth of 3.67 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres; and

2. To permit a minimum rectangular area of 3.0 metres x 4.27 metres in an attached garage; whereas the by-law requires a minimum rectangular area of 3.1 metres x 6.1 metres where the dwelling is greater than 6 metres in width.

Current Situation:

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

The subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhood' (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 property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Credit Valley Secondary Plan (Area 45). The requested variances are not considered to have significant impacts within the context of the Official Plan policies and Secondary Plan and maintains the general intent and purpose of the Official Plan.

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

Variance 1 and 2 are requested to permit a parking space depth of 3.67 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres and to permit a minimum rectangular area of 3.0 metres x 4.27 metres in an attached garage; whereas the by-law requires a minimum rectangular area of 3.1 metres x 6.1 metres where the dwelling is greater than 6 metres in width.

The Zoning By-law for detached dwellings City-wide is two (2) spaces for each dwelling. According to the submitted plans and the extent of the property line, the driveway on the subject property can only accommodate two (2) vehicles – one vehicle in the garage, and one vehicle on the driveway. Should a portion of the garage be converted to accommodate the entrance to an Additional Residential Unit, the parking space in the garage will no longer be useable. The applicant is proposing variances to reduce the required size of the interior parking space in the garage and introduce a new shorter parking space on the driveway.

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. The interior space of a garage serves not only as a parking spot for vehicles but also as storage space, accommodating items such as garbage bins. In this instance, the reduction results in a 1.83m shallower parking space. the proposed parking space depth reduction to 3.67m on the proposed driveway and the proposed 4.27 parking space depth in the garage has been reviewed by Traffic Services staff and is not considered sufficient for parking or storage of garbage bins within the garage. A reduced parking space depth is also requested on the extended portion of the driveway, located in front of the front porch steps. The parking space is in part proposed in order to maintain the required two (2) residential parking spaces as required by the zoning By-law. A parking space in this location may restrict access to the entrance and front porch steps while creating the potential for vehicle overhang on the sidewalk and the City's right-of-way. Given these

minimum standards the proposed variances are not considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances to permit a reduced interior of the garage and a reduced parking space depth are not considered to be desirable due to the inability for current and future parking needs on site. The 3.67m and 4.27m requested parking space depths will not allow for appropriate function of the garage and driveway for parking use. The interior parking space located in the garage will no longer be usable for most vehicles and the reduced width of the parking space located in front of the front porch steps may restrict access to the entrance and create the potential for vehicle overhang on the sidewalk and the City's right-of-way. Both Variance 1 and Variance 2 are not considered desirable for the appropriate development of the land.

4. Minor in Nature

The applicant is requesting two variances tied to a proposed parking space located within the existing attached garage and proposed driveway expansion. According to the information provided within the application and sketch, the property owner intends to convert a portion of the attached garage to an interior access for a proposed secondary suite. In turn, this will reduce the parking space sizes below the minimum zoning requirements. The resulting site conditions within the attached garage are considered to negatively impact the function of the designated parking space within the attached garage and on the proposed expanded driveway. The variances are not considered to be minor in nature and it is recommended that they be refused.

Respectfully Submitted,

EMailling

Emily Mailling, Planning Technician

Site Visit Photos



