



## Report Committee of Adjustment

**Filing Date:** March 21, 2022  
**Hearing Date:** July 12, 2022

**File:** A-2022-0049

**Owner/  
Applicant:** Gobbato Group Inc. / Luca Gobbato

**Address:** 16 West Street

**Ward:** 1

**Contact:** Noel Cubacub, Planner I

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### Recommendations:

That application A-2022-0049 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 a solid privacy fence, having a height of 2 metres (6 foot, 6inches), shall be constructed and maintained in the rear and side yards to screen the driveway and rear parking lot from adjacent properties to the satisfaction of the Director of Development Services;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the owner finalize site plan approval under City File SPA-2021-0204 to the satisfaction of the Director of Development Services;
5. That the use not be established until such time as the site plan has been approved and all related on-site improvements are implemented to the satisfaction of the Director of Development Services; and
6. 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 One Zone (R2B-1)" according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit 0.0m of permeable landscaping adjacent to both side lot lines whereas the by-law requires a minimum 0.6m (1.97 ft.) permeable landscape strip adjacent to both side lot lines;
2. To permit a 1.22m (4.0 ft.) interior side yard setback to the second storey whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey;
3. To permit a lot width of 19.24 metres for a double duplex dwelling whereas the by-law requires a minimum lot width of 20 metres to allow for a double duplex dwelling;
4. To provide six parking spaces whereas the by law requires a minimum of 8 parking spaces;
5. To permit parking in the rear yard whereas the by-law does not permit parking in the rear yard;
6. To permit a parking aisle having an irregular aisle width corresponding with the angle of the side lot line whereas the by-law requires a minimum parking aisle width of 6.6m.

**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" in the Downtown Brampton Secondary Plan (Area 7). The Residential designation supports the current use and the variance is not expected to have any significant impacts within the context of the Official Plan policies.

The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general purpose and intent of the Official Plan.

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

The property is zoned "Residential Extended One Zone (R2B-1)" according to By-law 270-2004, as amended.

**Variance 1** is requested to permit 0.0m of permeable landscaping adjacent to both side lot lines whereas the by-law requires a minimum 0.6m (1.97 ft.) permeable landscape strip adjacent to both side lot lines. The intent of the by-law in requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted. While the area along the northern lot line is generally expected to be paved over to accommodate the proposed driveway the proposal does include significant portions of the property along the southern lot line which offer a 1.22m landscape strip and is not anticipated to result in any negative impacts pertaining to drainage for the subject or adjacent properties.

A condition of approval is recommended that drainage on adjacent properties shall not be adversely affected as a result of the reduction of permeable landscape on the interior side lot lines.

**Variance 2** is requested to permit a 1.22m (4.0 ft.) interior side yard setback to the second storey whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey. The intent of the by-law in regulating the required interior side yard setback to a second storey addition is to ensure that sufficient distance is maintained between dwellings, and that the massing of the second storey does not impose upon the adjacent property. In this instance, the second story will maintain a 1.22m (4.0 ft.) setback which is consistent with the first storey and is considered appropriate in terms of separation and massing.

A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2021-0204 to the satisfaction of the Director of Development Services to appropriately address any concerns related to separation massing over adjacent properties.

**Variance 3** is requested to permit a lot width of 19.24 metres for a double duplex dwelling whereas the by-law requires a minimum lot width of 20 metres to allow for a double duplex dwelling. The intent of the by-law in requiring a minimum lot width is to ensure that a certain character is maintained for the property. In this case, the construction of double duplex on a lot with a 19-metre lot width is not anticipated to create any adverse impacts on the use and function of the property, nor the adjacent properties.

A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision to ensure that a further reduction in the minimum lot width is not contemplated to accommodate the proposed, and any future uses.

**Variance 4** is requested to provide six (6) parking spaces whereas the by law requires a minimum of eight (8) parking spaces. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the residential units on the site. In this case, a double duplex is being proposed which will result in the creation of four (4) residential dwellings, which will generally be more compact in nature given the size of the subject property where each unit will be

provided at least one (1) parking space with the potential availability of an additional space for a unit or visitors.

A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision in order to ensure that parking requirements are not further reduced in the future.

**Variance 5** is requested to permit parking in the rear yard whereas the by-law does not permit parking in the rear yard. The intent of the by-law in prohibiting the rear yard to be paved for the purposes of parking is to ensure that amenity space is provided for the residential property, and that some landscaped area is maintained for the property. In this case, parking in the rear yard would be preferred so as to not negatively impact the existing streetscape of this neighbourhood. Additionally, the proposal also maintains a significant amount of landscaped open space in the rear yard. The proposal and the requested variances are not anticipated to negatively impact elements associated to the landscaped amenity area.

A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision in order to ensure that the driveway, nor the parking are further expanded and potentially result in a further reduction in landscaped open spaced elements.

**Variance 6** is requested to permit a parking aisle having an irregular aisle width corresponding with the angle of the side lot line whereas the by-law requires a minimum parking aisle width of 6.6m. The intent of the by-law in requiring a minimum parking aisle width of 6.6m is to ensure that there is an adequate amount of space to safely maneuver a vehicle into, and out, of an associated parking space. In this case, the minor variance is specifically associated with parking space P1. There is also an active site plan application currently underway where Traffic Services Staff has reviewed the application and found that there are no expected negative impacts to the maneuverability of a vehicle entering and exiting parking space P1.

A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2021-0204 to the satisfaction of the Director of Development Services in order to ensure that identified parking aisle and parking spaces provide an adequate amount of maneuverability to safely park personal vehicles.

Subject to the recommended conditions of approval, the requested variances maintain the general intent and purpose of the Zoning By-law.

### **3. Desirable for the Appropriate Development of the Land**

**Variances 1, 2, and 3** are intended to facilitate the development of the proposed double duplex. Specifically, they are intended to permit 0.0m of permeable landscaping adjacent to both side lot lines whereas the by-law requires a minimum 0.6m (1.97 ft.) permeable landscape strip adjacent to both side lot lines; to permit a 1.22m (4.0 ft.) interior side yard setback to the second storey whereas the by-law requires a minimum interior side yard

setback of 1.8m (5.91 ft.) to the second storey; and to permit a lot width of 19.24 metres for a double duplex dwelling whereas the by-law requires a minimum lot width of 20 metres to allow for a double duplex dwelling. The requested variances would allow for the creation of diverse housing typologies within the downtown core and allow for additional housing opportunities for residents, or future residents. These requested variances are not anticipated to negatively impact the overall function of the property or the neighbourhood at large.

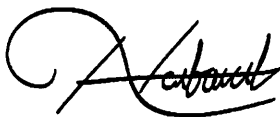
**Variances 4, 5, and 6** are intended to accommodate parking facilities on the property associated with the proposed double duplex. Specifically, they are intended to provide six parking spaces whereas the by law requires a minimum of 8 parking spaces; to permit parking in the rear yard whereas the by-law does not permit parking in the rear yard; and to permit a parking aisle having an irregular aisle width corresponding with the angle of the side lot line whereas the by-law requires a minimum parking aisle width of 6.6m. Allowing for these variances to accommodate the parking facility allow an appropriate provisions of parking, maneuverability and in some cases is preferred so as to maintain the character of the mature neighbourhood. Allowing these requested variances are not anticipated to negatively impact the overall function of the property or the neighbourhood at large.

A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision to ensure that these requirements are not further reduced and allow for the full functionality of the proposed double duplex. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The proposed variances are not anticipated to negatively impact the subject property or adjacent properties. The proposed double duplex dwelling and associated parking facilities would continue to align with the character of the surrounding neighbourhood. Subject to the recommended conditions of approval, there are no anticipated negative impact the aesthetic quality, nor the functionality, of the property or adjacent properties. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Noel Cubacub', written over a horizontal line.

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Noel Cubacub  
Planner I