

Filing Date: February 17, 2023

Hearing Date: February 20, 2024

File: B-2023-0004, A-2023-0047, A-2023-0048

**Owner/
Applicant:** **IRENE RAMSAMMY AND RON RAMSAMMY
IDM (2005) CONSULTANTS INC**

Address: **11467 Goreway Drive**

Ward: WARD 10

Contact: Megan Fernandes, Assistant Development Planner

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3,873.77 sq.m. (0.957 ac). The proposed severed lot has a frontage of approximately 16.08 metres; a depth of approximately 38.79m and an area of approximately 1,265.91 square metres (0.312 acres). It is proposed that 2 lots be established from the existing lot for future residential development of a single detached dwelling on the proposed severed lot.

Recommendations:

That application **B-2023-0004** is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and,
2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
3. Access to the severed lands shall be from New Forest Terrace;
4. Access to the retained parcel can be maintained from Goreway Drive until such time as a new access to New Forest Terrace has been constructed or the retained lands have been redeveloped. Once a new access to New Forest Terrace has been constructed the existing access to Goreway Drive shall be closed and the boulevard reinstated to municipal standards at the sole cost of the owner;
5. The existing access to Goreway Drive may be restricted to right in/out movements only when Goreway Drive is widened from 2 lanes to 4 lanes. In this regard, the Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims,

demands, losses, costs, suits or other proceedings by anyone arising or which may arise as a result of such access arrangements;

6. The Owner shall be required to convey lands to the City of Brampton for daylighting at the intersection of Goreway Drive and New Forrest Terrace. As a result, a 15x10 metre daylight triangle (15 metres along Goreway Drive and 10 metres along New Forrest Terrace) shall be provided. In this regard, the Owner shall submit to the Traffic Planning group for approval and copy the Legal Services Division:
 - a. A draft reference plan.
 - b. A draft reference plan overlaid onto the proposed site plan, showing only the subject site, depicting a separate part(s) where the reserve is to be conveyed.
 - c. A memorandum to the City's Traffic Planning group setting out the part(s) on the draft reference plan that are to be conveyed and copied to the Legal Services Division.
 - d. Upon approval of the Draft Reference Plan by the City's Traffic Planning group, arrange for the Surveyor to have the Draft Reference Plan deposited at the Land Registry Office of Peel.
 - e. Deposited copies are to be provided to the Traffic Planning group and the Legal Services Division.
7. The existing septic system shall be decommissioned prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required to decommission the existing septic system and connect to municipal sanitary services;
8. That the Applicant contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required;
9. That the applicant provides the required \$1,590.00 Toronto and Region Conservation Area (TRCA) review fee as per the letter dated September 28, 2023;
10. That prior to the issuance of the consent certificate by the secretary treasurer the Owner shall pay to the City \$19,212.000 which the City will deposit into Reserve Account #18 and use for the future construction of the New Forest Terrace and Goreway Drive intersection.
11. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

That application **A-2023-0047 (Retained)** 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 failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application **A-2023-0048 (Severed)** 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 custom home application be submitted for the future residential development of the property;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Consent application (B-2023-0004) and concurrent Minor Variance applications (A-2023-0047 and A-2023-0048) have been submitted to facilitate the severance of the subject property. The proposed severed lot has a frontage of approximately 16.08 metres; a depth of approximately 38.79m and an area of approximately 1,265.91 square metres (0.312 acres). The scope of the submitted applications is to facilitate the creation of 1 additional lot (severed lot), from the existing lot for a future single detached residential development. The applicant previously had pre-consultations with the City (PRE19.024 and PRE-2021-0141) proposing a severance of the existing residential lot into two lots.

In relation to this application, the surrounding land uses are described as follows (Appendix A – Aerial Imagery):

- North: Valleyland owned by the City of Brampton, which is under Toronto & Region Conservation Authority (TRCA) regulation, beyond is Countryside Drive and Residential rural estate dwellings.
- South: 10 existing executive single detached residential dwellings developed as part of City file: C08E16.004 and 4 single detached residential lots as part of City File: C08E16.006. The associated staff reports are attached to this report as Appendix B and Appendix C.
- East: Valleyland owned by the City of Brampton, which is regulated by the TRCA, beyond which are residential rural estate dwellings.
- West: Goreway Drive and an executive residential subdivision comprised of single-detached residential dwellings.

The City received the applications in February 2023, and they had previously been deferred twice during the Committee of Adjustment Hearings in May 2023 and September 2023. Initially, concerns were raised by the City's Traffic staff about the driveway connection to New Forest Terrace and the widening of Goreway Dr. As a response, revised variances were proposed resulting in further reduced lot areas and front yard setbacks.

The Owner and the Applicant engaged in multiple discussions with City Staff, presenting a revised severance sketch and variances for the application. These discussions have involved City Engineering, Traffic, Planning, and Capital Works staff. To ensure that the proposal integrates with the surrounding neighborhood, City Staff has included several conditions of approval to facilitate the extension of New Forrest Terrace among others.

To the south of the subject property, there are 10 existing single detached dwellings and 4 additional residential lots along New Forest Terrace (refer to Appendix A). While multiple variances are required to facilitate the severance of the lot, this application aligns with the City's interests as it contributes to the completion and extension of New Forest Terrace and addresses the future widening of Goreway Drive.

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Brampton Plan:** The subject property is designated as 'Neighbourhoods' in the council adopted Brampton Plan;
- **Secondary Plan:** The subject property is designated 'Executive Residential' in the Vales of Castlemore North Secondary Plan (Area 49); and
- **Zoning By-law:** The subject property is zoned 'Residential Rural Estate Two (RE2)' according to By-Law 270-2004, as amended.

Current Situation:

The severance application (B-2023-0004) and Minor Variance applications (A-2023-0047 and A-2023-0048) have been submitted to facilitate the severance of the subject property. Due to the existing Agricultural zoning designation, both the proposed severed and retained lot would result in property dimensions that do not conform to the minimum applicable Zoning By-law requirements. The existing single-detached home on the western portion of the property is located within the proposed retained lands and is to remain. A new single detached residential dwelling is proposed on the severed land with driveway access on New Forrest Terrace.

Conditions of approval are recommended to ensure that all Region of Peel, TRCA, Engineering, and Traffic related matters are addressed including the extension and completion of New Forest Terrace, adequate access locations, and conveyance of land.

The applicant is requesting to sever a parcel of land at the property municipally known as 11467 Goreway Drive in order to create a new residential lot to facilitate the future development of a single detached dwelling. Staff have undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Requested Variances:

A-2023-0047 – 11467 Goreway Drive Retained Parcel

The applicant is requesting the following variance(s) associated with the proposed retained parcel application under consent application B-2023-0004:

1. To permit a lot area of 0.24 hectares whereas the by-law requires a minimum lot area of 0.8 hectares.
2. To permit a lot width of 23.2m whereas the by-law requires a lot width of 45m
3. To permit an interior side yard setback of 6.87m whereas the by-law requires an interior side yard setback of 7.5m
4. To permit a 29.4% front yard landscape open space whereas the by-law requires a minimum of 70% of the front yard be landscaped open space.

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

The subject lands are designated as 'Residential' in the Official Plan and 'Residential' with a 'Unique Communities' overlay on Schedule 1 (City Concept) and is located within an 'Upscale Executive Housing Special Policy Area' on Schedule A1 (Upscale Executive Housing Special Policy Areas) of the Official Plan. The subject property is designated 'Executive Residential' in the Vales of Castlemore North Secondary Plan (Area 49).

The 'Residential' Official Plan designation permits residential land uses accommodating a range of housing mix and densities. The subject lands are designated as 'Communities' with a 'Unique Communities' overlay on Schedule 1 (City Concept) and is located within an 'Upscale Executive Housing Special Policy Area' on Schedule A1 (Upscale Executive Housing Special Policy Areas) of the Official Plan. Unique communities are identified as areas that preserve and enhance historical, cultural, natural and landscape characteristics that are valued by the Brampton community. As outlined in section 4.2.2 in the Official Plan, Upscale Executive Housing is a low density form of housing characterized by high value, high quality houses on large lots located in areas with enhanced street designs, open space and related community amenities. Upscale Executive Housing is planned to be located in various parts of the City in areas with attractive natural and man-made features. Furthermore, the requested variances were reviewed in conjunction with section 4.2.2.2 of the Official Plan which provides the detailed principles and standards shall, as much as practicable, be incorporated into the secondary plan level and tertiary plan level designs of upscale executive housing areas.

The Upscale Executive Residential Policies within the Vales of Castlemore North Secondary Plan (Area 49) provide that lands designated Executive Residential shall be developed in accordance with In accordance with Part I of the Official Plan, in the Vales of Castlemore North Secondary Plan Area, a minimum of 500 executive housing units having lot sizes exceeding 464.5 square metres (5,000 square feet), with a minimum lot frontage of 15 metres (50 feet) are to be provided within the residential lands (4.1.6).

The requested variances, in association with the concurrent severance application is to facilitate the creation of two lots. At the time of this report, the applicant is not proposing to demolish the existing single detached dwelling on the retained lot; and one a future single detached residential dwelling is proposed on the severed lot. The addition of one additional residential unit will not impact the density prescribed in the Secondary Plan Area and Official Plan, maintaining the 'Executive Residential' and 'Upscale Executive Residential' designations. Given the unique shape of the existing lot, and its location on the cul-de-sac, the proposed severance will create a pie shaped lot which is narrower at the front and wider towards the rear. The variances for the reduced lot width, area, interior side yard setback are requested as part of the severance. The general size, shape and dimensions of the retained and severed lands are considered to be consistent with the lots in the area which range from large lots to average similar to those along New Forrest Terrace and the subdivision to the west. Any future proposed residential development on the retained or severed lands will be subject to the Custom House Architectural Control review process which will review the design of the proposed development in relation to the architectural style of the existing neighborhood. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

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

The subject lands are currently zoned 'Residential Rural Estate Two (RE2)' according to By-Law 270-2004, as amended.

Variance 1 is requested to permit a lot area of 0.24 hectares whereas the by-law requires a minimum lot area of 0.8 hectares. Variance 2 is requested to permit a lot width of 23.2m whereas the by-law requires a lot width of 45m. The intent of the by-law in regulating the lot area and lot width is to ensure that the lot dimensions are capable of accommodating the intended use or development, as well as to remain consistent with the existing streetscape and area.

The subject property is located in a mature neighborhood and is proposed to have future access to the crescent on New Forest Terrace, resulting in an irregular shaped lot. Given the unique shape of the existing lot, the proposed severance would result in the retained lot having a lot area of 0.24 hectares and a lot width of 23.2m creating a lot that is consistent with the existing streetscape and the lot fabric of the surrounding area. Additionally, in the case of the subject property, the reduction in proposed lot width is directly related to the dedication of a daylighting triangle from the subject lands to the City. The requested variances for reduced lot width and lot area are to accommodate the retained lot and provides sufficient area for the future development of a detached dwelling and landscaping/amenity area on the front and rear yards on the subject lands.

The requested variances 1 and 2 will not generate negative functional impacts to the subject property as the shape, size, and dimensions of the lot are considered to be sufficient to accommodate the existing residential dwelling and future residential development on the severed and retained lands. Staff confirm that adequate driveway access will be accommodated despite the reduced lot width. Subject to the recommended conditions of approval, the variances are considered to maintain the general intent of the zoning by-law.

Variance 3 is requested to permit an interior side yard setback of 6.87m whereas the by-law requires an interior side yard setback of 7.5m. The intent of the by-law in requiring a minimum interior side yard

setback is to ensure that sufficient space is maintained for drainage and access to the rear yard. The variance applies to the southeastern portion of the existing dwelling where the side yard setback is reduced due to the irregular shape of the lot. Staff finds that despite the proposed reduced setbacks, the general intent of the by-law in providing a separation distance to an abutting property is maintained, as a 6.87m setback will provide adequate room for residents to access the rear yard through a continuous path of travel without encroaching on the neighboring property. The variance is considered to maintain the general intent of the zoning by-law.

Variance 4 is requested to permit a 29.4% front yard landscape open space whereas the by-law requires a minimum of 70% of the front yard be landscaped open space. The intent of the RE2 Zoning By-law in requiring a certain minimum percentage of the front yard to be landscape open space is to ensure that the property has an adequate amount of open/green space at the front and the area has a consistent streetscape within estate residential areas. In this case, despite the reduction, which has resulted due to the configuration of the existing driveway, there is still a significant amount of landscaped open space in the front yard. In addition, the large lot maintains substantial landscaped areas in the exterior side yard and the rear yard. The requested variance is not anticipated to impact the character of the neighbourhood. Subject to the recommended conditions, the requested variances related to the reduced landscaped open space in the front yard is considered to conform to the intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to facilitate the creation of a new residential lot for the future development of a single detached dwelling on the severed land while maintaining the existing dwelling on the retained lands. The proposed lots are considered compatible with the existing neighbourhood that consists of similar sized lots. In relation to the retained property, staff have reviewed application to align with the City's interest in the completion of New Forest Terrace and the widening of Goreway Drive.

A review of the proposal by the City's Traffic and Development Engineering Staff, alongside the ultimate widening of Goreway Drive, determined that the severed lot will be accessed by New Forest Terrace. Conditions of approval of Consent application B-2023-0004 state that access to the retained parcel can be maintained from Goreway Drive until such time as a new access to New Forest Terrace has been constructed or the retained lands have been redeveloped. Once a new access to New Forest Terrace has been constructed the existing access to Goreway Drive shall closed and the boulevard reinstated to municipal standards at the sole cost of the owner. Recommended conditions of approval have been provided by the City's Development Engineering department, where the Owner is to provide the required securities to facilitate the completion of New Forest Terrace.

In relation to any future residential development occurring on the severed or retained lands, the applicant will be required to submit a Custom House Architectural Control review application. Through this application, the City's Urban Design staff among others will review any proposed dwelling to ensure it confirms to the architectural style and massing of the surrounding area. Through the severance and associated minor variance applications, the City's Open Space Department has advised the custom home application will require a Tree Inventory & Preservation plan and report. A condition of approval is provided that the Applicant contact the City's Forestry Department to review any existing trees

effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required.

The minor variance application and associated consent application was circulated to the Toronto and Region Conservation Authority (TRCA). In the comment letter dated September 8, 2023, states: As part of TRCA's review of an Environmental Impact Statement for the current severance submitted through PRE-2021-0141 it was determined that the proposed severance would not pose a significant impact to the adjacent system provided an appropriate rear yard setback to new structures was provided at the time of future development. The current submission is consistent with this approved setback. The applicant is advised to contact TRCA staff to confirm if any TRCA permits are required.

With conditions to address the above noted issues, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 and 2 are not anticipated to have significant impacts on the function or character of the estate residential property and will result in conditions similar to lots on New Forrest Terrace. The reductions in lot area and width are related to land dedication for road widening and daylighting. As mentioned earlier, the development of the severed parcel and potential development of the retained parcel will be subject to the City of Brampton Custom Home Architectural Control Review process to ensure that the redevelopment of the lots are designed in a manner that conforms to the architectural style the surrounding area. Moreover, the reduced lot dimensions for the retained and severed lots are not anticipated to alter the existing character of the neighbourhood.

Variance 3 is requested to permit an interior side yard setback of 6.87m. Decreasing the interior side yard setback to 6.87m will allow for enough space for vegetation, access and for maintenance purposes and will not negatively affect the adjacent properties. The remaining aspects of the existing dwelling will continue to conform with the site requirements.

Variance 4 is requested to permit a 29.4% front yard landscape open space. The existing driveway conditions has resulted in a reduction to the required landscape open space, has existed for at least 10 years without issue and is not considered to be detrimental to the character of the neighbourhood.

The requested variances are considered to be compatible with the existing and planned land use context. Subject to the recommended conditions of approval, the requested variances are minor in nature.

A-2023-0048 – 11467 Goreway Drive (Severed Parcel)

Requested Variances:

The applicants are requesting the following variance(s) associated with the proposed severed parcel application under consent application B-2023-0004:

1. To permit a lot area of 0.13 hectares whereas the by-law requires a minimum lot area of 0.8 hectares;
2. To permit a lot width of 16.08m whereas the by-law requires a lot width of 45m;
3. To permit an interior side yard setback of 1.2m whereas the by-law requires an interior side yard setback of 7.5m;
4. To permit a rear yard setback of 7.5m whereas the by-law requires a rear yard setback of 15m;
5. To permit a front yard setback of 8m whereas the by-law requires a front yard setback of 12m.

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

The subject lands are designated as 'Residential' in the Official Plan and 'Residential' with a 'Unique Communities' overlay on Schedule 1 (City Concept) and is located within an 'Upscale Executive Housing Special Policy Area' on Schedule A1 (Upscale Executive Housing Special Policy Areas) of the Official Plan. The subject property is designated 'Executive Residential' in the Vales of Castlemore North Secondary Plan (Area 49).

The 'Residential' Official Plan designation permits residential land uses accommodating a range of housing mix and densities. The subject lands are designated as 'Communities' with a 'Unique Communities' overlay on Schedule 1 (City Concept) and is located within an 'Upscale Executive Housing Special Policy Area' on Schedule A1 (Upscale Executive Housing Special Policy Areas) of the Official Plan. Unique communities are identified as areas that preserve and enhance historical, cultural, natural and landscape characteristics that are valued by the Brampton community. As outlined in section 4.2.2 in the Official Plan, Upscale Executive Housing is a low density form of housing characterized by high value, high quality houses on large lots located in areas with enhanced street designs, open space and related community amenities. Upscale Executive Housing is planned to be located in various parts of the City in areas with attractive natural and man-made features. Furthermore the requested variances were reviewed in conjunction with section 4.2.2.2 of the Official Plan which provides the detailed principles and standards shall, as much as practicable, be incorporated into the secondary plan level and tertiary plan level designs of upscale executive housing areas.

The Upscale Executive Residential Policies within the Vales of Castlemore North Secondary Plan (Area 49) provide that lands designated Executive Residential shall be developed in accordance with In accordance with Part I of the Official Plan, in the Vales of Castlemore North Secondary Plan Area, a minimum of 500 executive housing units having lot sizes exceeding 464.5 square metres (5,000 square feet), with a minimum lot frontage of 15 metres (50 feet) are to be provided within the residential lands (4.1.6).

The requested variances, in association with the concurrent severance application is to facilitate the creation of two lots. At the time of this report, the applicant is not proposing to demolish the existing single detached dwelling on the retained lot; and one a future single detached residential dwelling is proposed on the severed lot. The addition of one additional residential unit will not impact the density prescribed in the Secondary Plan Area and Official Plan, maintaining the 'Executive Residential' and

'Upscale Executive Residential' designations. Given the unique shape of the existing lot, and its location on the existing cul-de-sac, the proposed severance will create a pie shaped lot which is narrower at the front and wider towards the rear. The variances for the reduced lot width, area, interior side yard setback are requested as part of the severance. The size, shape and dimensions of the retained and severed lands are considered to be consistent with the lots in the area which range from large lots to average similar to those along New Forrest Terrace and the subdivision to the west. Any future proposed residential development on the retained or severed lands will be subject to the Custom House Architectural Control review process which will review the design of the proposed development in relation to the architectural style of the existing neighborhood. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

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

The subject lands are currently zoned 'Residential Rural Estate Two (RE2)' according to By-Law 270-2004, as amended.

Variance 1 is requested to permit a lot area of 0.13 hectares whereas the by-law requires a minimum lot area of 0.8 hectares. Variance 2 is requested to permit a lot width of 16.08m whereas the by-law requires a lot width of 45m. The intent of the by-law in regulating the lot area and lot width is to ensure that the lot dimensions are capable of accommodating the intended use or development, as well as to remain consistent with the existing streetscape and area.

The subject property is located in a mature neighborhood and is proposed to have future access to the crescent on New Forest Terrace, resulting in an irregular shaped lot. Given the unique shape of the existing lot, the proposed severance would result in the severed lot having a lot area of 0.13 hectares and a lot width of 16.08m creating a lot that is consistent with the existing streetscape and the lot fabric of the surrounding area. Additionally, in the case of the subject property, the reduction in proposed lot width is directly related to the dedication of a daylighting triangle from the subject lands to the City. The requested variances for reduced lot width and lot area is to accommodate the severed lot and provides sufficient area for the future development of a detached dwelling and landscaping/amenity area on the front and rear yards on the subject lands.

The requested variances 1 and 2 will not generate negative impacts to the subject property as the shape, size, and dimensions of the lot are considered to be sufficient to accommodate the existing residential dwelling and future residential development on the severed and retained lands. Subject to the recommended conditions of approval, the variances are considered to maintain the general intent of the zoning by-law.

Variance 3 is requested to permit an interior side yard setback of 1.2m whereas the by-law requires an interior side yard setback of 7.5m. The intent of the by-law in requiring a minimum interior side yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard. Staff finds that despite the proposed reduced setbacks, the general intent of the by-law in providing a separation distance to an abutting property is maintained, as a 1.2m setback will provide adequate room for residents to access the rear yard through a continuous path of travel without encroaching on the neighboring property. Furthermore, staff note the proposed 1.2m is similar to the requirements and restrictions for minimum interior side yard width of the neighbouring properties zoned R1E.

Variance 4 is requested to permit a rear yard setback of 7.5m whereas the by-law requires a rear yard setback of 15m. The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property. In this instance, the subject lot is a deep, pie shaped lot which widens at the rear of the property with a significant drop in grade toward the Salt Creek. The requested variance is consistent with the area and reasonable given the configuration of the lot and the site topography. Amenity area to serve the dwelling will be maintained, and no adjacent properties will be affected. The request conforms to the general intent of the Zoning By-law.

Variance 5 is requested to permit a front yard setback of 8m whereas the by-law requires a front yard setback of 12m. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area. The proposed front yard setback permits adequate site lines on the property, and there is sufficient area for landscaping. Subject to the recommended conditions of approval, the variances are considered to maintain the general intent of the zoning by-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to facilitate the creation of a new residential lot for the future development of a single detached dwelling on the severed land while maintaining the existing conditions of the retained lands. The proposed lots are considered compatible with the existing neighbourhood that consists of similar sized lots. In relation to the retained property, staff have reviewed application to align with the City's interest in the completion of New Forest Terrace and the widening of Goreway Drive.

A review of the proposal by the City's Traffic and Development Engineering Staff, along side the ultimate widening of Goreway Drive, determined that the severed lot will be accessed by New Forest Terrace. As noted by City Staff in the Recommendation Report for City File C08E16.001 (Appendix B) a temporary turning circle will be required on Street 1 (New Forest Terrace) at the northerly limit of the subdivision until such time as the property to the north is developed and the intersection of 'New Forest Terrace' and Goreway Drive is constructed to its full width. Recommended conditions of approval have been provided by the City's Development Engineering department, where the Owner is to provide the required securities to facilitate the completion of New Forest Terrace.

In relation to any future residential development occurring on the severed or retained lands, the applicant will be required to submit a Custom House Architectural Control review application. Through this application, the City's Urban Design staff will review any proposed dwelling to ensure it confirms to the architectural style and massing of the surrounding area. Through the severance and associated minor variance applications, the City's Open Space Department has advised the custom home application will require a Tree Inventory & Preservation plan and report. A condition of approval is provided that the Applicant contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required.

The minor variance application and associated consent application was circulated to the Toronto and Region Conservation Authority (TRCA). In the comment letter dated September 8, 2023, states: As part of TRCA's review of an Environmental Impact Statement for the current severance submitted through PRE-2021-0141 it was determined that the proposed severance would not pose a significant impact to the adjacent system provided an appropriate rear yard setback to new structures was provided at the time of future development. The current submission is consistent with this approved setback. The applicant is advised to contact TRCA staff to confirm if any TRCA permits are required. TRCA staff have no objection to the support the approval of the prior variance.

With conditions to address the above noted issues, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 and 2 are not anticipated to have significant impacts on the function or character of the estate residential property. The reductions in lot area and width are related to land dedication for road widening and daylighting. As mentioned earlier, the development of the severed parcel and potential development of the retained parcel will be subject to the City of Brampton Custom Home Architectural Control Review process to ensure that the redevelopment of the lots are designed in a manner that conforms to the architectural style the surrounding area. Moreover, the reduced lot dimensions for the retained and severed lots are not anticipated to alter the existing character of the neighbourhood.

Variances 3, 4 and 5 are requested to permit reduced interior side yard, rear yard and front yard setbacks. The requested variances are not anticipated to have any adverse impacts on adjacent properties. Subject to the recommended conditions, the requested variances are considered minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

SCHEDULE "A"

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE
PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed severance is suitable for the purposes for which it is to be subdivided.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadwork network. Conditions of approval are recommended to ensure that New Forrest Terrace is extended and completed. Land dedication will be provided for the future Goreway Drive widening.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed lots are appropriate in size and shape for their purpose. Minor Variances A-2023-0047 and A-2023- 0048 are requested to permit reductions to the lot width and lot area. The size and shapes of both the severed and retained lots are generally consistent with the residential character of the area.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	It is currently proposed that the retained lot will maintain access to Goreway Drive until such time as a new access to New Forest Terrace has been constructed or the retained lands have been redeveloped. The severed lot is to be accessed by New Forest Terrace. This consent application is aligned with the City's

	interest in facilitating the completion of New Forest Terrace and also considers the widening of Goreway Drive.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources. The TRCA has reviewed the applications and a related condition is recommended.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services. A condition is provided by the Region of Peel that arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.
j) <i>The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes. A condition of approval is provided that the applicant/owner provide a 15x10 metre daylight triangle (15 metres along Goreway Drive and 10 metres along New Forrest Terrace). A further condition is provided by the Region of Peel.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed detached dwelling on the severed lot will be subject to the Custom House Architectural Control approval process.

Appendix A – Aerial Imagery