



## Report Committee of Adjustment

**Filing Date:** February 28<sup>th</sup>, 2023

**Hearing Date:** March 28<sup>th</sup>, 2023

**File:** A-2023-0053

**Owner/**

**Applicant:** KIMPREET JASSAL AND GURVINDER JASSAL

**Address:** 9 KEEWATIN GATE

**Ward:** WARD 3

**Contact:** Samantha Dela Pena, Assistant Development Planner

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### **Recommendations:**

That application A-2023-0053 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
  2. 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 Single Detached D Special Section 3146 – (R1D-3146)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variance:

1. To permit a building height of 8.76m (28.74 ft), whereas the by-law permits a maximum building height of 7.6m (24.93 ft).

## **Current Situation:**

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

The property is designated 'Residential' in the Official Plan and further designated 'Medium Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested 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 requested variance seeks to permit a building height of 8.76m (28.74 ft), whereas the by-law permits a maximum building height of 7.6m (24.93 ft). The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. There is currently an existing single detached dwelling and shed located on the subject property. The proposal is requested to permit increased building height for a new proposed dwelling after demolishing the existing dwelling and shed. Despite the 1.16m (3.81 ft) increase in building height, the new dwelling is proposed to be constructed on the current building's existing footprint, thus maintaining existing setbacks from neighbouring properties. The subject property is located on a corner lot on the southwest corner of Keewatin Gate and Sheldrake Court. The northern property line fronts on Keewatin Gate with no director neighbor abutting the lot line. The rear of the home abuts the side lot line of the property municipally known as 7 Keewatin Gate and is adequately screened along the side property line via wooden fencing and tree landscaping. As such, the increased building height is not anticipated to negatively impact massing on adjacent properties.

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

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

The variance requested is to permit an increased building height for a proposed new dwelling. While building height requirements of the Zoning by-law are not maintained, through review of the submitted concept plan staff are of the opinion that the subject property lot size is able to accommodate the proposed dwelling height of 8.76m (28.74 ft) without causing significant massing issues on neighbouring properties. The conceptual elevation drawings submitted by the applicant show the massing of the home being oriented toward Keewatin Gate and away from the abutting property to the south. Moreover, the proposed development will undergo the City of Brampton Custom Home Architectural Control Application, where City staff will review the proposed development to ensure it conforms to the surrounding area and existing residential homes.

The 1.16m (3.81 ft) increase in maximum building height is not anticipated to negatively impact the surrounding lots in the area.

Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variance is requested to permit proposed site conditions for increased building height for a proposed new dwelling. The requested variance is not considered to impact massing on adjacent properties, as the proposed dwelling location is to be constructed on the current building's existing footprint, maintaining existing setbacks from neighbouring properties and the streetscape. Furthermore, as the subject property is located on a corner lot along the intersection of Keewatin Gate and Sheldrake Court, the proposed increase in dwelling height is not considered to significantly impact neighbouring lots or properties. The proposed height increase of 1.16m (3.81 ft) is measured to the peak of the roof the proposed dwelling, as per the elevation drawings provided by the applicant. Furthermore, the windows of the proposed dwelling are located below the peak height, thus preventing any potential privacy issues with neighboring properties.

Subject to the recommended conditions of approval, the requested variance is minor in nature.

Respectfully Submitted,



Samantha Dela Pena, Assistant Development Planner