

APPLICATION # B-2022-0003
Ward # 1

DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **MANUPRIYA SHARMA**

Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 876.5 square metres (0.22 acres). The proposed severed lot has a frontage of approximately 9.07 metres (29.76 feet); a depth of approximately 48.3 metres (158.46 feet) and an area of approximately 438.2 square metres (0.011 acres). It is proposed that 2 lots be established from the existing lot for future residential development of a single detached dwelling on each lot.

Location of Land:

Municipal Address: 43 David Street

Former Township: Town of Brampton

Legal Description: Lot 24, Plan BR-32, Part 2, Plan 43R-9448

Meeting

The Committee of Adjustment has appointed **TUESDAY, MARCH 28, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

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LAST DAY FOR RECEIVING COMMENTS: MARCH 23, 2023

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NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	YES	File Number: A-2022-0047 AND A-2022-0048

Decision and Appeal

Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elfto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS **9th Day of March, 2023.**

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton Committee of Adjustment
City Clerk's Office, Brampton City Hall
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117 Fax: (905)874-2119
Jeanie.myers@brampton.ca

#40
2 Storey
Dwelling

#44
2 Storey
Dwelling

David Street
±15.1m Public R.O.W.

#37
2 Storey
Dwelling

#39
2 Storey
Dwelling

#43
2 Storey
Dwelling
(to be demolished)

#47
2 Storey
Dwelling

#49
2 Storey
Montessori

R1B Zone Requirements

	Required	Proposed Severed	Proposed Retained
Lot Area	450m ²	±438.18m ²	±438.30m ²
Lot Width	15m	±9.07m	±9.07m

shed




Part of Lot 7, Con 1 West of Centre Rd
Part of Lot 6, Con 1 West of Centre Rd

Appendix A

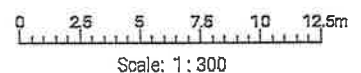
Consent Sketch

43 David Street,
City of Brampton

Legend

-  **Subject Lands**
Total Area: ±876.48m² (0.22ac)
Lot Width: ±18.13m
-  **Lands to be Severed**
Lot Area: ±438.18m²
Lot Width: ±9.07m
-  **Lands to be Retained**
Lot Area: ±438.30m²
Lot Width: ±9.07m

Existing Structures to be Demolished



Note: This drawing is for discussion purposes only.
Property boundary to be verified by an O.L.S.
Source: MyBrampton Interactive map.

Drawn By: A.M.

Date: March 23, 2022

File No: 132-22



Powell Planning & Associates

Town of New Tecumseth
County of Simcoe, ON

Mobile: 647.828.2467
Email: almea@powellplanning.ca

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both in-person and electronically).

Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **March 28, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, March 23, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, March 23, 2023.**
 2. To participate in-person, please email the Secretary–Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, March 23, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, March 23, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- All Hearings will be livestreamed on the City of Brampton YouTube account at:
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or
<http://video.isilive.ca/brampton/live.html> .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



Powell Planning & Associates

Evolution through planning & development

B-2022-0003; A-2022-0047; A-2022-0048


43 DAVID STREET
BRAMPTON, ONTARIO

PLANNING JUSTIFICATION REPORT

MARCH 2022

 aimée@powellplanning.ca

 www.powellplanning.ca

 647-828-2467



PLANNING JUSTIFICATION REPORT

Applications for Severance and Minor Variance

PREPARED BY:

POWELL PLANNING & ASSOCIATES



aimee@powellplanning.ca



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647-828-2467



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1.0 Introduction

1.1 Overview

Powell Planning & Associates (PPA) has been retained by Manupriya Sharma (the Landowner) to provide a request for consideration for Consent (Severance) for the purpose of creating one new residential lot, and Minor Variance to provide relief for the minimum lot area as well as the minimum lot frontage on the lands municipally known as 43 David Street, City of Brampton, and legally described as Lot 24, Plan BR-32, Part2, Plan 43R-9448, City of Brampton, Region of Peel.

See Figure 1: Context Map

This Report will review the merits of the proposed development in accordance with Provincial and Municipal land use policy to establish how the proposal demonstrates good planning. The following documents have been reviewed in this regard:

- Planning Act, R.S.O., 1990
- Provincial Policy Statement (2020)
- A Place to Grow (2020)
- Region of Peel Official Plan (2021)
- City of Brampton Official Plan (2020)
- City of Brampton Zoning By-laws (204-2010) (253-2021)



2.0 Site Description & Surrounding Land Uses

2.1 The Site

Generally rectangular in shape, the site, sloping to the north east, is located west of Main Street North, on the south side of David Street, in Brampton's central Urban Growth Centre. See **Figure 2: Aerial Photo** for site specific context. The total site area is approximately 876.5 m² (0.22 ac) and has 18.3 m (60 ft) of frontage on David Street, a Local Road, bordered by a Collector Road, Mill Street North, and a Major Arterial (City) Road, Main Street North, in accordance with **Figure 3: City of Brampton Official Plan Schedule B: City Road Hierarchy**.

In accordance with the City of Brampton's Official Plan, 2020, the lands are designated as 'Central Area' (See **Figure 4: City of Brampton Official Plan Schedule A: General Land Use Designations**) and zoned as 'Residential Single Detached B- R1B Zone' in accordance with the City of Brampton's Zoning By-laws (204-2010) (253-2021) See **Figure 5: City of Brampton Zoning By-law (204-2010) and (253-2021)**. The property currently has a 2-storey single-detached house on it with a shed located to the rear of the site. The lands are immediately surrounded by low to medium density residential uses as well as service commercial. Located on the periphery of the Mobility Hub- Anchor in accordance with **Figure 6: Region of Peel Official Plan Schedule G: Rapid Transit Corridor**, the lands are well serviced by transit, including Routes #2 and 502 Zum, while also being within a .5 km radius from the Downtown Brampton Terminal & Main Street Zum Stations, that are serviced by Routes 1, 1A, 2, 24, 25, 52, 501, 501A 502, 561 GO Train and Bus Connections and Via Rail. The subject lands are also located within the Urban Growth Centre as per the Region of Peel's Official Plan, see **Figure 7: Region of Peel Official Plan Schedule D4: The Growth Plan Policy Areas in Peel**. The lands are serviced with full municipal water and sewer, as well as waste collection services. The subject site is located outside of the Toronto Region Conservation Authority Regulated Area and is outside of the City of Brampton's Downtown Floodplain Regulations. No environmental or natural heritage features are identified on the subject lands.



The specific land uses surrounding the subject site are as follows:

North: Low to medium density residential, public green space

East: Low to medium density residential, institutional uses

South: Low to medium density residential, Downtown Brampton (Transit) Terminal

West: Low to medium density residential, industrial uses



3.0 Proposed Development

3.1 The Development

The proposed development would result in the creation of one new R1B Residential lot located on the northern portion of the subject lands through a Severance, under Section 53 of the *Planning Act*. Minor Variances under Section 45 of the *Planning Act* are also required to allow for a reduced lot area of 438.2 square metres and a reduced lot frontage of 9.1 metres. This development will allow for the creation of two new, two-storey, single-detached residential units with private rear yard amenity space in accordance with the current RB1 zoning provisions. See **Appendix A** for the proposed Consent sketch detailing the proposed Severance and Minor Variances. All existing structures on the land would be removed to facilitate future development.

The Severed lands are anticipated to be developed for residential uses permitted within the existing designation 'Central Area', however a Minor Variance would be required to provide relief for the minimum lot size and the front yard setback in order for the development to be brought into fruition. Both the Severed and Retained lands would be approximately 438.2 m² (0.1 ac) in size each with 9.1 m frontage onto David Street. Please see **Appendices B and C** for the respective Minor Variances required and the proposed future building envelopes on each site. Separate access would be required for each site via a private drive way serving each lot. Please see **Appendix D** for the Existing Dwelling Plan.

It is anticipated that the severed lot will be serviced by public water, wastewater and waste collection. The proposed development will be an opportunity to contribute to an under-supplied housing market, increase density and population targets, and aims to enhance the neighbourhood while respecting the existing character.



4.0 Planning Analysis

This section of the Planning Justification Report provides a detailed analysis of the proposed development in the context of the following provincial, regional and local policy.

4.1 The *Planning Act*

The *Planning Act*, R.S.O., 1990 (the “*Planning Act*”), as amended, is the legislative document that controls land use planning and development approvals in the Province of Ontario. Section 2 in the *Planning Act* outlines matters of Provincial Interest, which municipalities shall have regard to when making land use planning decisions, including the orderly development of safe and healthy communities, the appropriate location of growth and development, and the promotion of built form that is well designed and encourages a sense of place.

The subject proposal particularly aligns with the following Provincial Interests as outlined in the *Planning Act*:

(a) the protection of ecological systems, including natural areas, features and functions;

The proposed development does not negatively impact the ecological system nor its natural areas, features and functions as it is being proposed on a lot that is absent of said features.

(b) the protection of the agricultural resources of the Province;

The proposed development does not affect agricultural resources as it is being proposed on a lot that is absent of said features.

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The proposed development aims to make efficient use of the existing transportation network, infrastructure, water and wastewater services and waste management systems by allowing for appropriately scaled density to an urban area, and better developing an underutilized site.

(h) the orderly development of safe and healthy communities;

The proposed development would allow for an additional urban residential lot to be created, fostering urban regeneration as well as the potential for diversified densities to the corridor. The



subject site also benefits from an existing sidewalk therefore is connected to the municipality's existing active transportation network, that will be better utilized through the creation of additional housing. Through adding more housing on the subject lands, there is a greater contribution to 'eyes on the street' therefore aiming to enhance neighbourhood safety.

(p) the appropriate location of growth and development;

By creating a lot on lands that are already serviced and located in an Urban Growth Centre, this proposal is successful in fostering growth and development where it is meant to occur.

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

The subject site is located on a Local Road that is within close proximity to a Collector and Major (City) Arterial Road, is within a five-minute walk from a Regional Mobility Hub – Anchor, within the Urban Growth Centre, abuts active transportation infrastructure and benefits from its proximity to Downtown Brampton. This proposal offers to make better use of the existing site by allowing for greater density into this urban area, increasing transit use and ideally contributing to growth targets.

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

With the creation of the severed lot and the required relief, there is an opportunity for the promotion of a new built form that is sympathetic to the existing character of the neighbourhood, attractive and enhances the streetscape while maintaining the present built form.

The proposed development aligns with the aforementioned Provincial Interests therefore represents good planning in accordance with the *Planning Act*.



4.2 The Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) is a broad-range policy document that provides direction for managing and directing land use to achieve efficient development and land use patterns across Ontario. The PPS promotes the focus of urban growth to settlement areas and away from significant or sensitive resources. Growth is to be obtained through efficient development patterns which optimize the use of land, resources public investment in infrastructure and public service facilities. The PPS promotes intensification within the urban area and the efficient use of municipal services in order to create sustainable living environments.

Part V of the PPS identifies the following sections that align with the objectives of the proposed development:

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development Patterns
- 1.4 Housing
- 1.6 Infrastructure and Public Service Facilities
- 1.8 Energy Conservation, Air Quality and Climate Change; and
- 2.2 Water

The following PPS policies are of particular relevance to the redevelopment of the subject lands:

Section 1.1.1 states that *“healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate...range and mix of residential types (including single-detached housing)...and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental public health and safety concerns; ...*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and*
- e) promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost effective*



development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;...”

The proposed development meets these broad policies of the PPS. The proposed development seeks to implement an efficient land use pattern, provides additional residential housing, and makes efficient use of land and resources through the desired development. Finally, the proposal supports existing public transit and active transportation as it is located within walking distance of existing higher-order transit services. The proposal also fosters active transportation and connectivity as the subject site benefits from an existing sidewalk.

The proposed development offers opportunities for intensification of an underutilized site that is consistent with the policies of the PPS. It promotes the efficient and intensified use of land located in an urban area, where municipal services are available, as directed by the PPS. The proposed development contributes to the overall density targets within the Urban Growth Centre and does not require an expansion to the built boundary.

The proposed residential development is located in an appropriate area to accommodate additional growth, as evidenced by the designation of the lands within Regional and Local Official Plans. The proposed development will not have impact on the natural environment, as there are no natural heritage features identified on the subject property. Similarly, due to both the subject land's location and current state, the development is not anticipated to have an impact on stormwater management or groundwater resources.

The proposed development aligns with many provincial policies and the overall direction of the province as to how and where growth is to occur. Therefore, the proposal represents good planning in accordance with the 2020 Provincial Policy Statement.



4.3 A Place to Grow, 2020

The Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) 2020 provides a policy framework for implementing Ontario’s vision for building stronger communities by better managing growth in the Greater Golden Horseshoe, which includes the City of Brampton. The Growth Plan directs growth to settlement areas, the utilization of existing infrastructure, prioritizes intensification and a compact built form.

Similar to the PPS, the Growth Plan contains land use planning objectives which must be considered when planning decisions are being made within the Greater Golden Horseshoe Area. The Growth Plan identifies how a change in direction for land use planning is necessary as traditional means of analysis and approval have led to an unhealthy population and environment with inefficient land use patterns. Below is an analysis of the policy statements from this key provincial policy document that are relevant to the proposed development.

The subject property is located within the City of Brampton’s built boundary. Urban development is permitted within the built boundary, based on the principle of supporting the achievement of forecasted growth within ‘Complete Communities’. These communities are defined as “Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.” The City of Brampton’s Urban Growth Centre is successful at being a complete community, with plans to enhance these features.

The subject application aligns well with the broad policies of the Growth Plan. Specifically, the directions of the following sections are evident in the proposed development:

- 1.2.1 Guiding Principles
- 2.2.1 Managing Growth
- 2.2.2 Delineated Built-up Areas
- 2.2.3 Urban Growth Centres
- 2.2.4 Transit Corridors and Station Areas



- 2.2.6 Housing
- 3.2.2 Transportation – General; and
- 3.2.3 Moving People

The proposed development would abide by the policies detailed within the aforementioned sections in the Growth Plan by adding much needed residential intensification (housing) within the Urban Growth Centre, better utilizing existing infrastructure, including water and wastewater servicing, waste collection and multi-modal transit services. The proposed development aligns with many provincial policies and the overall direction of the province as to how and where growth is to occur. Therefore, the proposal represents good planning in accordance with the 2020 Growth Plan.



4.4 Region of Peel Official Plan, 2021

The consolidated Peel Region Official Plan, 2021 contains policies and related schedules that guide the type and location of land uses in the Region until 2031. These policies serve as refinements to the policies found within the PPS, the Growth Plan and are specific to the context of the Region and the composition of its lands. The subject lands are located in the 'Urban Growth Centre' according to the Region of Peel's Official Plan, where population growth and development, are meant to occur; the proposed use also aligns with the subject designation. Land uses are meant to be compact and efficient in form while maximizing available municipal services to reduce their overall costs, which aligns with the objectives of the proposed Consent and supporting Minor Variance.

The following Sections within the Region of Peel's Official Plan are of particular relevance to the redevelopment of the subject lands:

- 1.3.6 General Goals of the Plan
- Chapter 2: The Natural Environment
- Chapter 3: Resources
- Chapter 4: Regional Forecasts
- Chapter 5: Regional Structure
- Chapter 6: Regional Services
- Chapter 7: Implementation

The proposed development would align with the policies in the aforementioned Sections of the Region of Peel's Official Plan by:

- Supporting sustainable growth and development
- Not directing growth towards or within natural or cultural heritage features
- Promoting efficient land use and development patterns, efficient transportation and new, more efficient housing development
- Wisely managing the Region's resources
- Implementing growth management that improves lifestyle quality through appropriate intensification, the efficient and cost-effective utilization of land uses and existing services
- Offering additional housing in an under-supplied market, better meeting a community need



- Promoting orderly growth that is sympathetic to the existing neighbourhood character
- Offering redevelopment that will better utilize, revitalize and reuse the existing site with a use that aligns with the direction and goals of the Regional Official Plan
- Intensifying a site that benefits from an active transportation network via its sidewalk
- Adding to Urban Growth Centre Targets for population and household growth
- Directing growth to where it is meant to occur in the Urban Growth Centre to better achieve a complete community, that is also within close proximity to the Downtown Area where density benefits from mixed-uses and commercial land uses
- Fostering development that offers diversity in housing stock urban areas
- Supporting the integration of the transportation system
- Making better use of the existing sewers, watermains, utilities, municipal water, wastewater and waste disposal collection services
- Fostering the development of healthy communities

The proposal is compatible, makes better use of existing municipal services and creates a more urban compact form, while adding needed housing. The proposed development represents good planning in accordance with the policies of Region of Peel's Official Plan.



4.5 City of Brampton Official Plan, 2020

The City of Brampton's Official Plan offers policy context for the continuation of a sustainable community planning for growth and development to the year 2031. This plan is designed to assist with growth management through diverse land uses, guide strategic development and infrastructure and preserve the environment, to the benefit of existing and future residents. The City of Brampton's Official Plan designates the subject lands as 'Central Area' where the proposed use is permitted alongside encouraged mixed activities/uses. The proposed development aligns with the following Sections of the City of Brampton's Official Plan:

- 1.1 Purpose of the Official Plan
- 2.1 Physical and Environmental Considerations
- 2.2 Social and Cultural Considerations
- 2.4 The Strategic Plan: Six Pillars Supporting Our Great City
- 2.5 Policies of Other Levels of Government
- 3. Sustainable City Concept
- 4.1 Central Area
- 4.2 Residential
- 4.5 Transportation
- 4.6 Natural Heritage and Environmental Management
- 4.8 Infrastructure and Utilities

The proposed development fosters the policies in the aforementioned Sections of the City of Brampton's Official Plan by:

- Offering a development that meets the current and future needs of residents through appropriate growth management
- Directing development away from environmental features and functions and aiming to make efficient of water systems
- Diversifying and adding to the existing housing stock
- Increasing potential participation/ridership on the City's existing transportation network including active transportation



- Achieving the objectives of Provincial and Regional direction for how and where growth is meant to occur and in what form
- Encouraging development that respects the City's resources, natural systems and growth management
- Adding to the existing complement of healthy community development
- Increasing density and compatible land uses within the Central Area
- Promoting appropriately scaled residential growth
- Providing the opportunity for better utilization of the City's active transportation network
- Making more efficient use of existing and planned for infrastructure and utilities
- Complying with the requirements for Consent including, but not limited to, being serviced by public water and sanitary sewers

The proposed development represents good planning in accordance with the policies of City of Brampton's Official Plan.



4.6 City of Brampton Zoning By-law (204-2010) and (253-2021)

The purpose of the Zoning By-law is to implement the policies and objectives of the Official Plan, by regulating the use of land, buildings, and structures. The subject lands are currently zoned “Residential Single Detached B (R1B)” The R1B Zone allows for the following uses:

- a) Residential
 - a. A single detached dwelling
 - b. Supportive Housing Residence Type 1
- b) Non-Residential
 - a. A place of worship
 - b. Purposes accessory to the other permitted purposes

The proposed development for the creation of an additional R1B lot on the subject parcel therefore aligns with the permitted uses in the applicable zone. Two standards for the proposed development do not conform with the R1B Zone, whereas relief of the minimum lot area and minimum lot width are being sought through this proposal, however relief in this regard overall is minor in nature. The proposed development and any future development following the pending decision of the Consent, are expected to align with the majority of the standards in the R1B zone including:

- Minimum Lot Depth
- Minimum Front Yard Depth
- Minimum Interior Side Yard Width
- Minimum Rear Yard Depth
- Maximum Building Height
- Minimum Landscaped Open Space

Overall, the subject proposal aligns well with the City of Brampton’s Zoning By-laws (204-2010) and (253-2021) and therefore represents good planning.



4.7 Four Tests of a Minor Variance

When evaluating the merits of a Minor Variance application, the *Planning Act*, under Section 45 establishes Four Tests that are required to be satisfied, which are:

- 1- Does the proposal meet the intent of the Zoning By-law;
- 2- Does the proposal meet the intent of the Official Plan
- 3- Is the proposal desirable
- 4- Is the proposal, in fact, minor in nature.

Test #1 - Does the proposal meet the intent of the Zoning By-law

In review of the Four Fests, the requested relief from the minimum lot area and minimum lot frontage would meet the intent of the Zoning By-law. The subject lands are currently zoned ‘Residential Single Detached B-R1B Zone’ where single-detached dwellings are permitted. It is anticipated that future development on the subject lands would result in the creation of a single-detached structure on each lot. The proposed lot areas and frontages closely align with other frontages in the immediate and surrounding area with the same R1B zoning. These standards require very minor relief in accordance with the proposed development. As noted in Section 4.6 of this Report, the vast majority of the standards for the R1B zone have been respected by the subject proposal and demonstrate good planning in accordance with the City of Brampton’s Zoning.

Below is a Table that demonstrates the relief that is required for the subject development:

Table 1: Minor Variance Requested Relief in Accordance with the R1B Zone

Standard	R1B	Required	Relief
Minimum Lot Size (m²)	450	438.3	11.7
Minimum Lot Frontage (m)	15	9.1	5.9

Test #2 – Does the proposal meet the intent of the Official Plan

The development proposal would meet the intent of the Official Plan, as outlined earlier in this report. The proposed development provides an opportunity for residential intensification which is compatible with the existing area; is located in an area on full municipal services and in proximity to transit services; provides adequate off-street parking; and is appropriate in terms of scale and massing.

Test #3 – Is the proposal desirable

The proposal is desirable, as it provides an attainable housing option in a currently under-supplied market, in a stable, residential neighbourhood. The proposal would also contribute to the development of a healthy, attractive, complete and sustainable community and offers a higher and better use of fully serviced lands in the Urban Area. The proposed lot fabric is similar to that on adjacent streets such as Market Street where urban residential uses are within close proximity. Having nominally smaller lot frontages and areas in order to accommodate a larger-scale public benefit, like additional housing, represents good planning. The greater public good is being achieved through the creation of additional housing and better utilization of existing municipal infrastructure and services on the subject lot. The proposal's strategic design will enhance the neighbourhood, without impacting its character or streetscape.

Test #4 – Is the proposal minor in nature

Finally, the impact of the variances from the Zoning By-law requirements would be considered to be minor as they are within the general requirements of the Residential Zones and the single detached residential use proposed is permitted as of right in this zone category. The proposed development only requests 11.7 square metres relief for the minimum lot size of 450 square metres and 5.9 metres relief for the minimum lot frontage of the required 15 metres; therefore, the relief being sought is minor in nature.

Overall, the proposed development meets the Four Tests of a Minor Variance as it aligns with:

- 1- The intent of the Zoning By-law
- 2- The intent of the Official Plan
- 3- Being desirable for the subject lands and the neighbourhood; and
- 4- Being minor in nature



Therefore, in accordance with Section 45 of the *Planning Act*, the proposed development represents good planning.



5.0 Conclusion

The subject lands are located at 43 David Street, Brampton, and are legally described as Lot 24, Plan BR-32, Part2, Plan 43R-9448. The lands are located within the Urban Growth Centre, where growth and development are meant to occur. Applications for Consent (Severance) and Minor Variance are being made to facilitate the development for one new Single Detached residential lot on the subject lands.

In order to develop a professional opinion regarding the consistency and conformity of the proposed development and to determine if the proposal represents good planning, a review of all relevant planning policy documents was undertaken in this report, including the *Planning Act*, the Provincial Policy Statement (2020), A Place to Grow (2020), the Region of Peel's Official Plan (2021), the City of Brampton Official Plan (2020), the City of Brampton Zoning By-laws (204-2010) and (253-2021) and the Four Tests of a Minor Variance in accordance with Section 45 of the *Planning Act*.

The proposed development of an under-utilized residential property within an urban area offers a higher and better use of the subject property. It also offers an opportunity to intensify the land uses within the neighbourhood, while respecting its existing character, which aligns with the Provincial Policy Statement. The proposed development conforms to the intent of the Regional and City Official Plans for the development of Urban Growth Centres. The proposed development also conforms to the City's Zoning By-laws (204-2021) and (253-2021). The proposed development will be designed to be compatible with the adjacent properties and will make efficient use of existing municipal water and sewer services.

Through this analysis it has been determined that:

- i. The proposed development is appropriate within the Urban Growth Centre as these boundaries are where growth and development are meant to occur;
- ii. The subject lands are and will be serviced by transit, full municipal water and sewer services and regional waste collection services; and
- iii. The proposed development is in character with and compatible to the surrounding area.

Based on the detailed analysis contained within this report, it is my professional opinion that the proposed development:



- i. has regard to matters of provincial interest as detailed in Section 2 of the *Planning Act*, R.S.O., 1990, as amended;
- ii. is consistent with the Provincial Policy Statement (2020);
- iii. conforms to the Provincial Growth Plan, A Place to Grow (2020);
- iv. conforms to the Region of Peel's Official Plan (2021);
- v. conforms to the City of Brampton's Official Plan (2020)
- vi. conforms to the City of Brampton's Zoning By-laws (204-2021) and (253-2021)
- vii. meets the Four Tests of a Minor Variance in accordance with Section 45 of the *Planning Act* R.S.O., 1990, as amended; and
- viii. has substantial merit, is within the best interest of the public and represents good planning

Respectfully submitted,



Aimee Powell, B.URPL., MPA, MCIP, RPP
Chief Planning Officer
Powell Planning & Associates



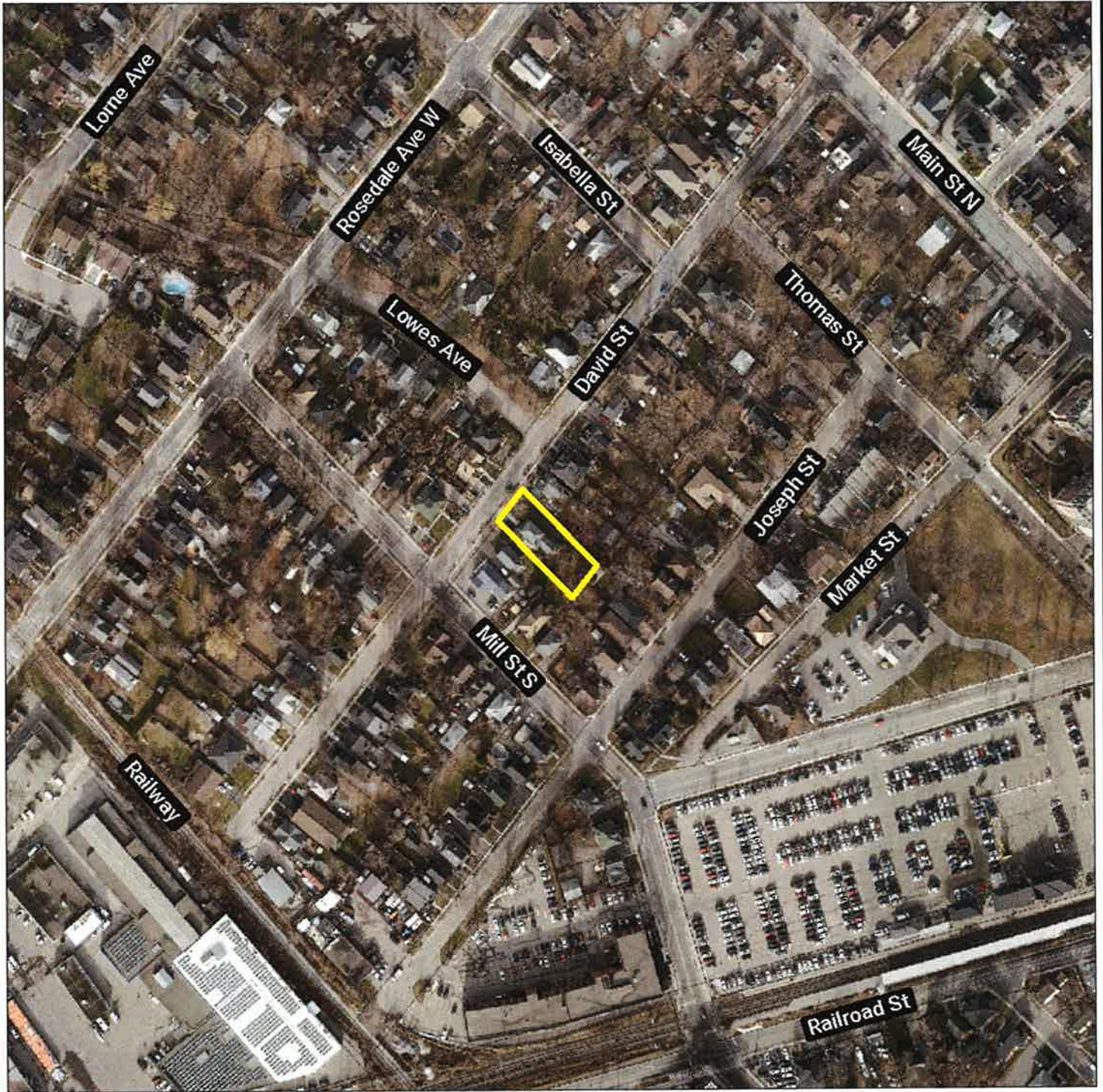


Figure 1

Context Map

43 David Street,
City of Brampton

Legend

 Subject Lands

0 25 50 75 100m
Scale: 1 : 2,500



Source: MyBrampton Interactive map.

Drawn By: A.M.

Date: February 16, 2022

File No: 132-22



Powell Planning & Associates

Town of New Tecumseth
County of Simcoe, ON

Mobile: 647.828.2467
Email: aimee@powellplanning.ca




Figure 2

Aerial Photo

43 David Street,
City of Brampton

Legend

 Subject Lands

0 5 10 15m
Scale: 1 : 400



Source: MyBrampton Interactive map.

Drawn By: A.M.

Date: February 16, 2022

File No: 132-22



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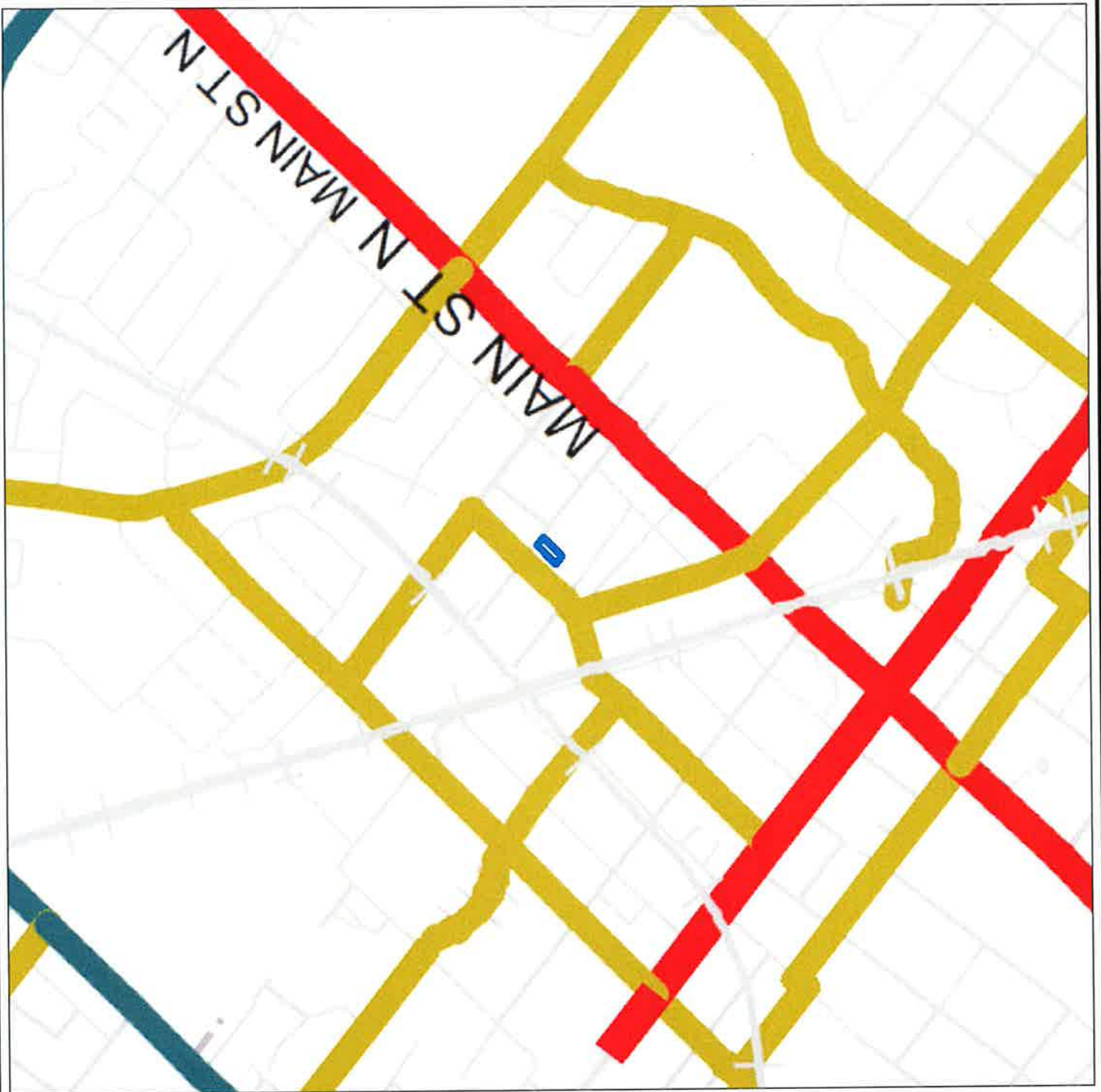


Figure 3

**City of Brampton
Official Plan
Schedule B:
Road Hierarchy**

43 David Street,
City of Brampton

- Legend**
-  Subject Lands
 -  Collector
 -  Major Arterial (City)
 -  Major Arterial (Regional)
 -  Urban Collector

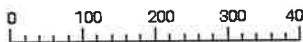


 Scale: 1 : 10,000		
Source: City of Brampton Official Plan Schedule B: Road Hierarchy, August 2020		
Drawn By: A.M.	Date: February 16, 2022	
File No: 132-22		
		
Powell Planning & Associates		
Town of New Tecumseth County of Simcoe, ON		Mobile: 647.828.2467 Email: aimee@powellplanning.ca



Figure 4

**City of Brampton
Official Plan
Schedule A: General
Land Use Designations**

43 David Street,
City of Brampton

Legend

-  Subject Lands
-  Central Area
-  Residential
-  Industrial
-  Open Space

0 100 200 300m

Scale: 1 : 7,500



Source: City of Brampton Official Plan Schedule A: General Land Use Designations, August 2021.

Drawn By: A.M.

Date: February 16, 2022

File No: 132-22



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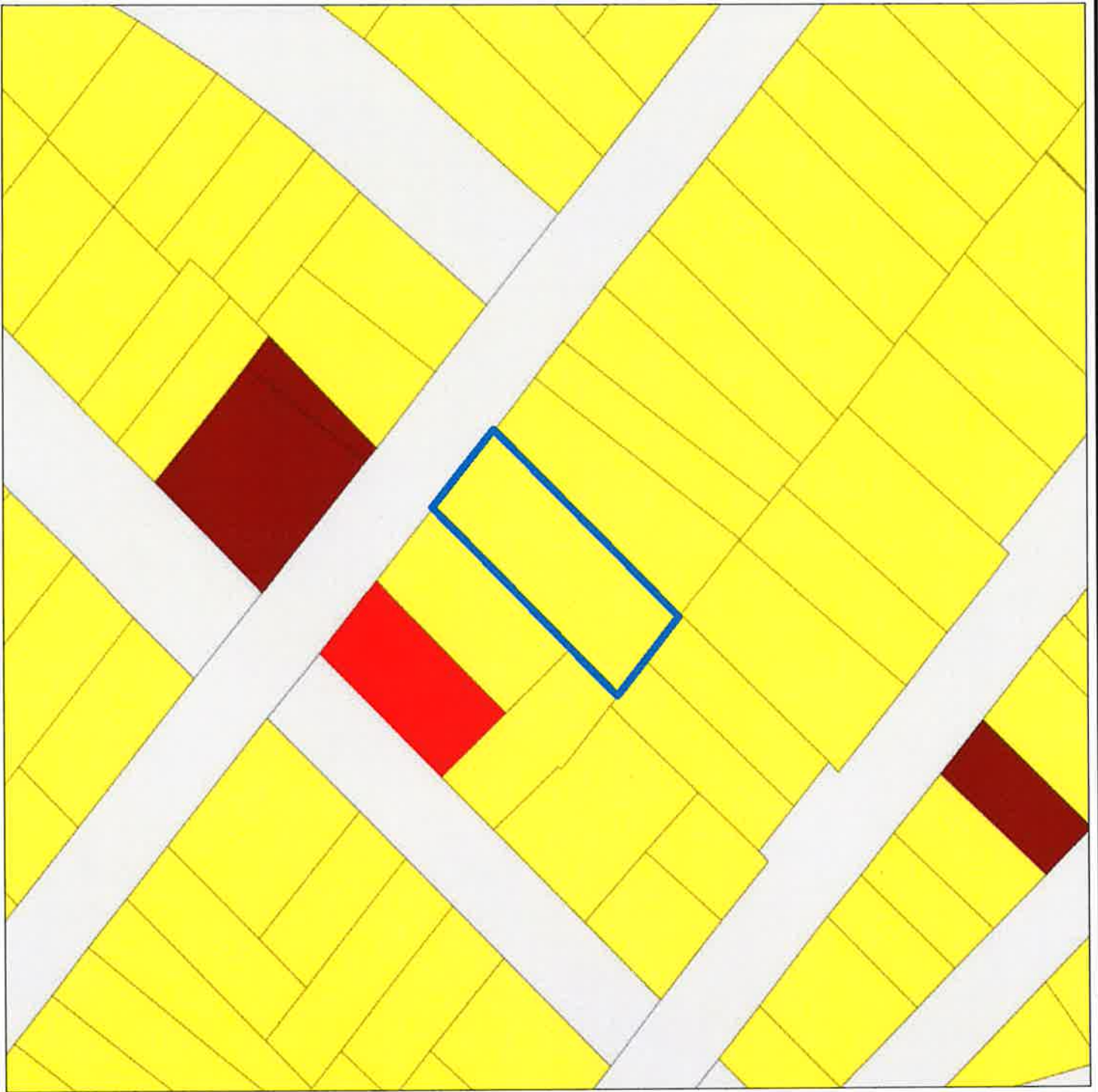


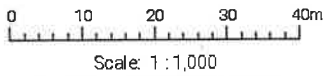
Figure 5

**City of Brampton
Zoning By-law
(204-2010) and
(253-2021)**

43 David Street,
City of Brampton

Legend

-  Subject Lands
-  Residential Single Detached B (R1B)
-  Service Commercial (SC)
-  Residential Apartment A (R4A)



Source: Brampton Planning Viewer website, February 2022

Drawn By: A.M.

Date: February 16, 2022

File No: 132-22



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County of Simcoe, ON

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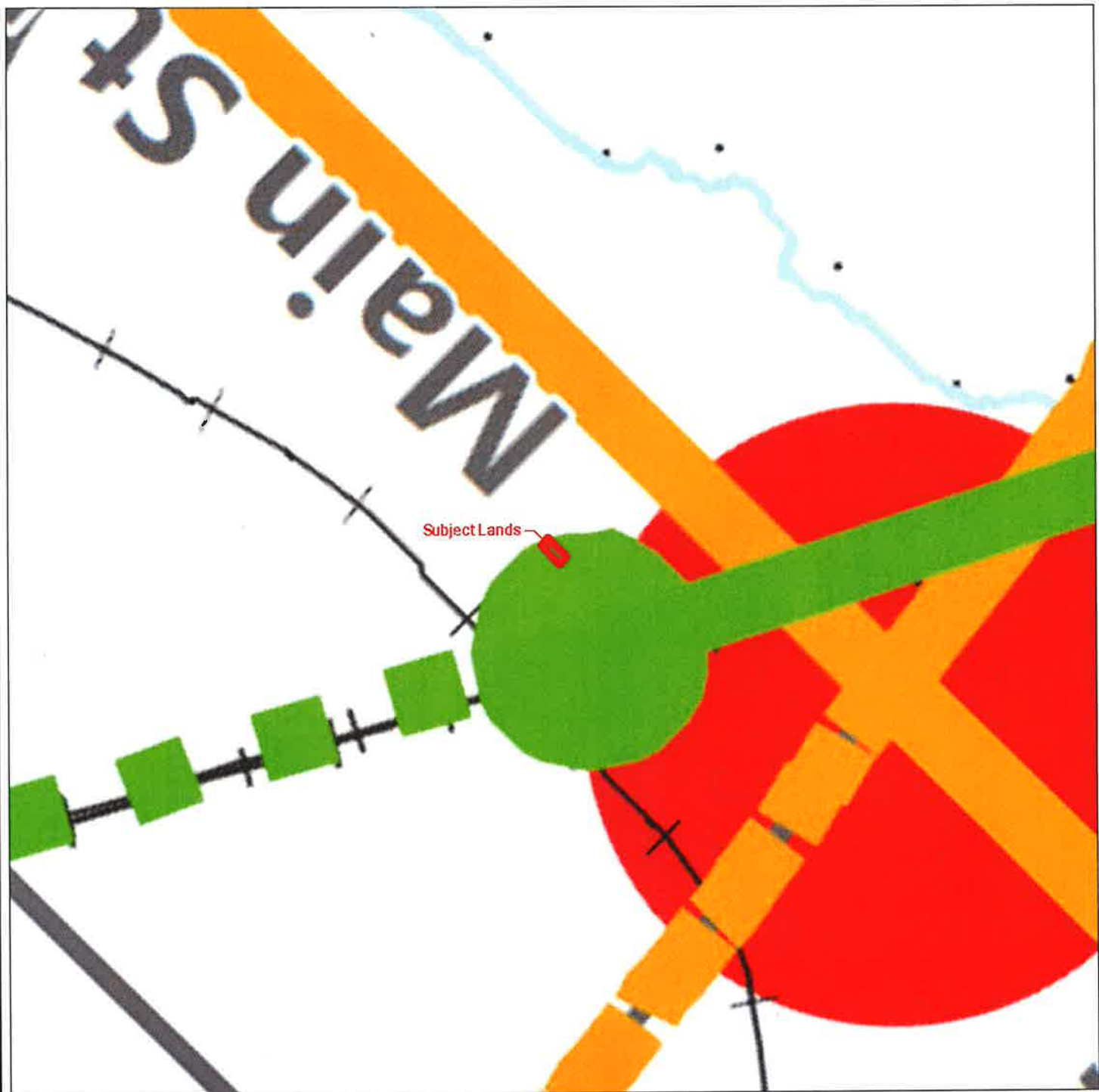


Figure 6

**Region of Peel
Official Plan
Schedule G:
Rapid Transit Corridor**

43 David Street,
City of Brampton

Legend

- Subject Lands
- Existing GO Rail Station
- Mobility Hub - Anchor
- Other Rapid Transit Corridor
- Other Potential Rapid Transit Corridor

0 100 200 300 400m
Scale: 1 : 10,000



Source: Region of Peel Official Plan Schedule G: Rapid Transit Corridor, September 2021

Drawn By: A.M. Date: February 16, 2022

File No: 132-22



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County of Simcoe, ON Email: aimee@powellplanning.ca



Figure 7

**Region of Peel
Official Plan
Schedule D4:
The Growth Plan
Policy Areas in Peel**

43 David Street,
City of Brampton

Legend

- Subject Lands
- Urban Growth Centre
- Built Up Area

0 100 200 300 400m
Scale: 1 : 10,000



Source: Region of Peel Official Plan Schedule D4: The Growth Plan Policy Areas in Peel, September 2021.

Drawn By: A.M.

Date: February 16, 2022

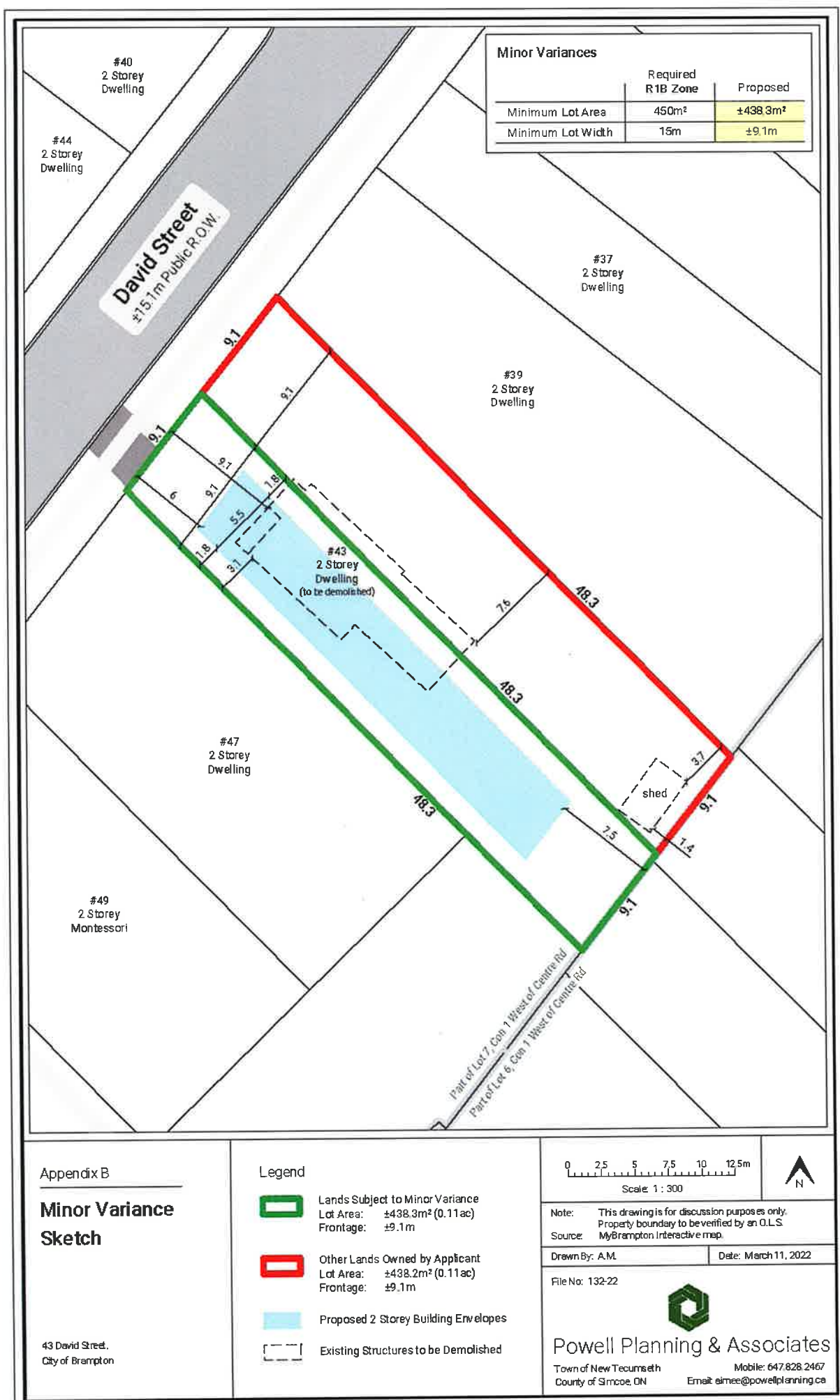
File No: 132-22



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County of Simcoe, ON

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Minor Variances		
	Required R1B Zone	Proposed
Minimum Lot Area	450m ²	±438.2m ²
Minimum Lot Width	15m	±9.1m

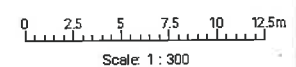
Appendix C

Minor Variance Sketch

43 David Street,
City of Brampton

Legend

- Lands Subject to Minor Variance
Lot Area: ±438.2m² (0.11ac)
Frontage: ±9.1m
- Other Lands Owned by Applicant
Lot Area: ±438.3m² (0.11ac)
Frontage: ±9.1m
- Proposed 2 Storey Building Envelopes
- Existing Structures to be Demolished



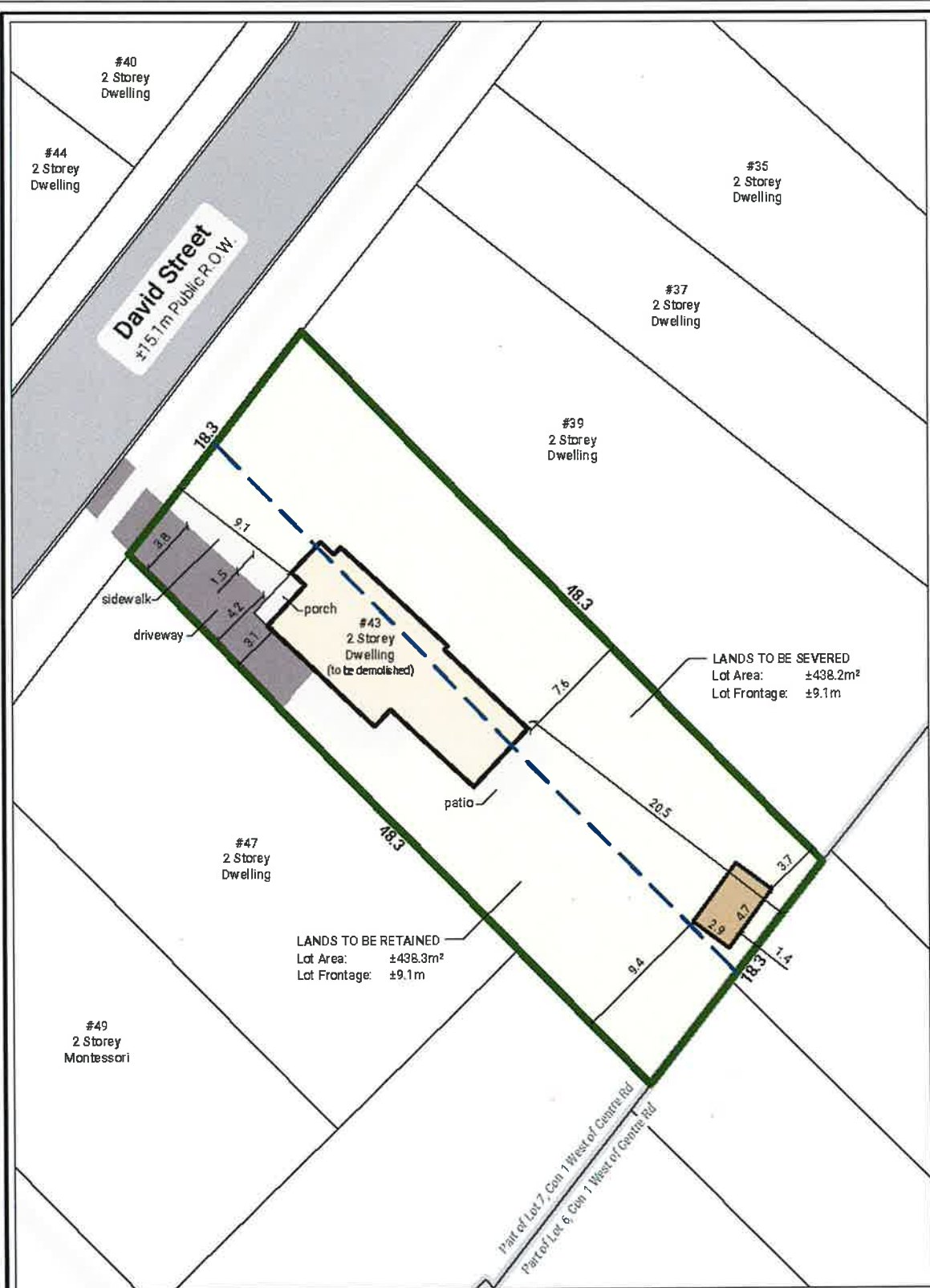
Note: This drawing is for discussion purposes only.
Property boundary to be verified by an O.L.S.
Source: MyBrampton Interactive map.

Drawn By: A.M. Date: March 11, 2022

File No: 132-22



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County of Simcoe, ON Email: aimee@powellplanning.ca



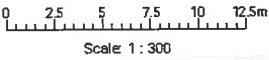
Appendix D

Existing Dwelling

43 David Street,
City of Brampton

Legend

-  Subject Lands
Lot Area: ±876.5m² (0.22ac)
Frontage: ±18.3m
-  Existing Dwelling
GFA: ±213.4m² (2,297.2ft²)
-  Existing Shed
GFA: ±13.6m² (146.4ft²)
-  Existing Driveway
-  Existing Porch, Patio and Sidewalk
-  Proposed Severance Line



Note: This drawing is for discussion purposes only.
Property boundary to be verified by an O.L.S.
Source: MyBrampton Interactive map.

Drawn By: A.M. Date: March 8, 2022

File No: 132-22



Powell Planning & Associates

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aimée@powellplanning.ca



www.powellplanning.ca



647-828-2467





The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION
Consent
(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) Name of Owner/Applicant Manupriya Sharma
(print given and family names in full)

Address 43 David Street, Brampton, L6X 1J3

Phone # 647-960-0007 Fax #

Email gouravbhanot@yahoo.com

(b) Name of Authorized Agent Powell Planning & Associates c/o Aimee Powell

Address 202 Eighth Avenue, New Tecumseth, ON L9R 0H5

Phone # 647-828-2467 Fax #

Email aimee@powellplanning.ca

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify: creation of a new lot

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.
unknown - to be sold

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street David Street Number 43

b) Concession No. Lot(s) 24

c) Registered Plan No. Plan BR-32 Part 2, Lot(s)

d) Reference Plan No. Plan 43R-9448 Lot(s)

e) Assessment Roll No. 10-04-0-035-03000-0000 Geographic or Former Township

5. Are there any easements or restrictive covenants affecting the subject land?

Yes No
Specify:

6. Description of severed land: (in metric units)

a) Frontage 9.15 m Depth 48.3 m Area 442 sq.m

b) Existing Use residential Proposed Use residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:
 (existing) portion of 1 existing house, and an existing shed
 (proposed) 1 residential dwelling on severed lands

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f) Water supply will be by:

	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<u></u>	

g) Sewage disposal will be by:

	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<u></u>	

7. Description of retained land: (in metric units)

a) Frontage 9.15 m Depth 48.3 m Area 442 sq. m

b) Existing Use residential dwelling Proposed Use residential dwelling

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:
 (existing) portion of 1 existing house
 (proposed) 1 residential dwelling on retained lands

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	R1B _____	R1B _____
Official Plans		
City of Brampton	Central Area _____	Central Area _____
Region of Peel	Urban Growth Centre _____	Urban Growth Centre _____

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☐ No ☒

File # _____ Status/Decision _____

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☒

Date of Transfer _____ Land Use _____

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	_____	_____
Zoning By-law Amendment	_____	_____
Minister's Zoning Order	_____	_____
Minor Variance	<u>A-2022-0047</u> <u>A-2022-0048</u>	<u>CONCURRENT</u>
Validation of the Title	_____	_____
Approval of Power and Sale	_____	_____
Plan of Subdivision	_____	_____

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the Planning Act?
Yes ☒ No ☐

13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☒ No ☐

14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☒ No ☐

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City of Brampton
this 16th day of March, 2022.

Check box if applicable:

Signature of Applicant, or Authorized Agent, see note on next page

☐ I have the authority to bind the Corporation

DECLARATION

I, Manu Priya Sharma of the City of Brampton
in the County/District/Regional Municipality of Peel solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Brampton
in the Region of Peel
this 16th day of March, 2022

Manu Priya Sharma

Signature of applicant/solicitor/authorized agent, etc.

Jeanie Myers
Signature of a Commissioner, etc.

Submit by Email

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.

Tall [Signature]

Zoning Officer

March 24, 2022

Date

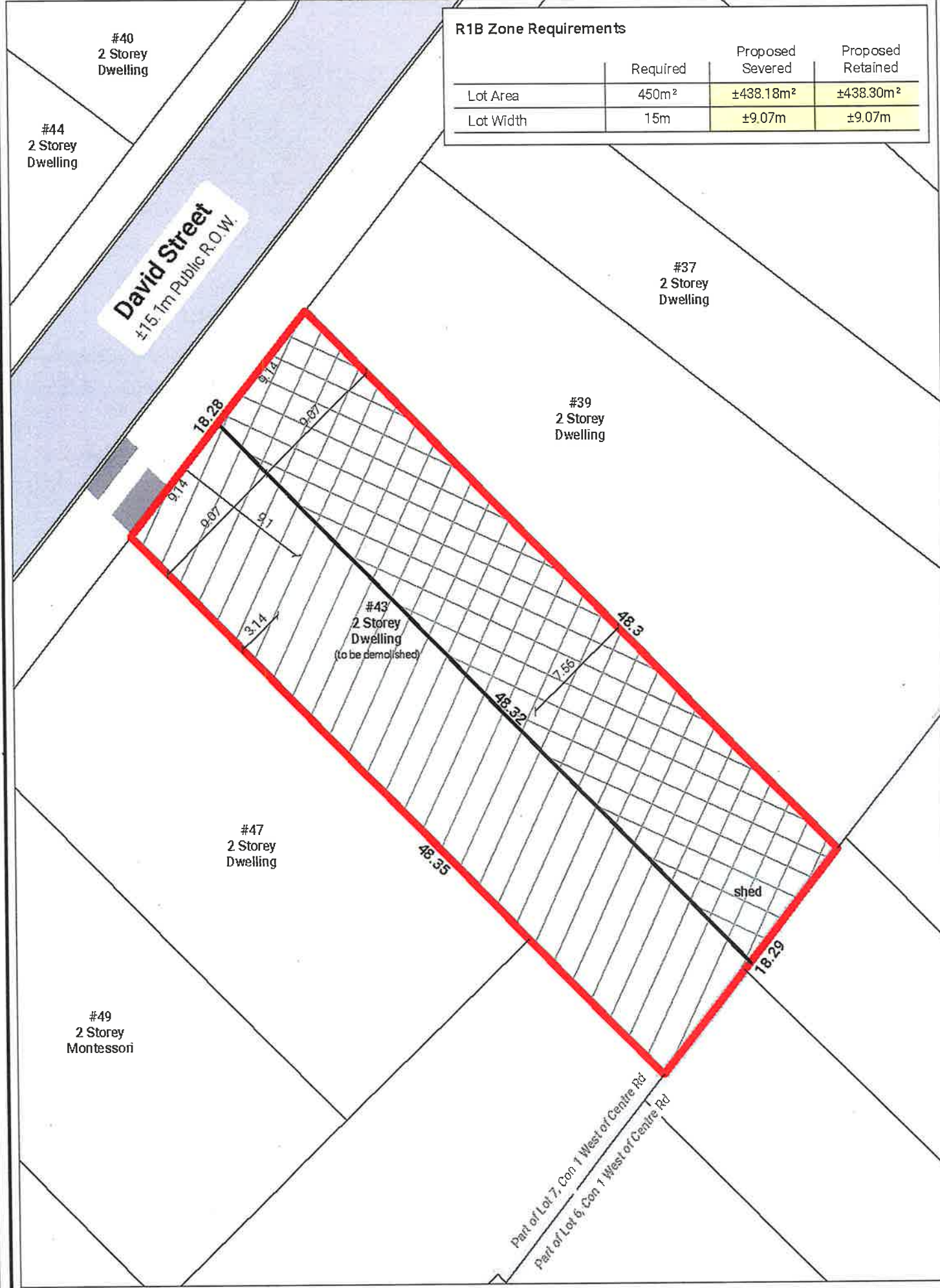
DATE RECEIVED

March 16, 2022

Date Application Deemed Complete by the Municipality

MARCH 24, 2022

R1B Zone Requirements			
	Required	Proposed Severed	Proposed Retained
Lot Area	450m ²	±438.18m ²	±438.30m ²
Lot Width	15m	±9.07m	±9.07m



Appendix A

Consent Sketch

43 David Street,
City of Brampton

Legend



Subject Lands
Total Area: ±876.48m² (0.22ac)
Lot Width: ±18.13m

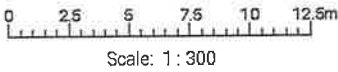


Lands to be Severed
Lot Area: ±438.18m²
Lot Width: ±9.07m



Lands to be Retained
Lot Area: ±438.30m²
Lot Width: ±9.07m

Existing Structures to be Demolished



Note: This drawing is for discussion purposes only.
Property boundary to be verified by an O.L.S.
Source: MyBrampton Interactive map.

Drawn By: A.M.

Date: March 23, 2022

File No: 132-22



Powell Planning & Associates

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County of Simcoe, ON

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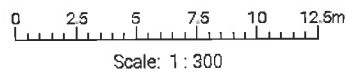
Appendix D

Existing Dwelling

43 David Street,
City of Brampton

Legend

- Subject Lands
Lot Area: ±876.5m² (0.22ac)
Frontage: ±18.3m
- Existing Dwelling
GFA: ±213.4m² (2,297.2ft²)
- Existing Shed
GFA: ±13.6m² (146.4ft²)
- Existing Driveway
- Existing Porch, Patio and Sidewalk
- Proposed Severance Line



Note: This drawing is for discussion purposes only.
Property boundary to be verified by an O.L.S.
Source: MyBrampton Interactive map.

Drawn By: A.M.

Date: March 8, 2022

File No: 132-22



Powell Planning & Associates

Town of New Tecumseth
County of Simcoe, ON

Mobile: 647.828.2467
Email: almee@powellplanning.ca

B-2022-0083
A-2082-0047
A-2022-0048

