



Report Committee of Adjustment

Filing Date: April 14, 2024

Hearing Date: May 21, 2024

File: A-2024-0110

**Owner/
Applicant:** PARAMIJIT GILL

Address: 5 Crescent Hill Drive South

Ward: WARD 7

Contact: Ellis Lewis, Planner I

Recommendations:

That application A-2024-0110 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;
 2. That drainage on adjacent properties shall not be adversely affected;
 3. That the owner finalize Custom Home approval under City File # CH-2024-0005 and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
 4. 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 A- Special Section 102 (R1A-102)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a single detached dwelling having a building height of 11.4 metres (37.40 feet), whereas the by-law permits a maximum building height of 7.6 metres (24.93 feet).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variance is not considered to have significant impacts within the context of the Official Plan. The nature and extent of the proposed 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 variance is requested to permit a building height of 11.4 metres (37.40 feet), whereas the by-law permits a maximum building height of 7.6 metres (24.93 feet). 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, shadowing or privacy impacts on adjacent properties. The size of the subject lot is approximately 0.42 hectares (1.03 acres). Given the location of the dwelling and it being situated on a relatively large lot, the increase in building height is not anticipated to create any adverse impacts related to shadowing, privacy, or massing. In addition, the property is surrounded by mature vegetation which provides natural screening, thus limiting the visual impact on adjacent properties. Furthermore, the proposed Concept Plan indicates that all applicable side yard setbacks will be maintained. Subject to the conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit an increased building height of 11.4 metres (37.40 feet), as it will assist in the development of a new two-storey dwelling. The increase of 3.8 metres (12.46 feet) to the height is not anticipated to significantly contribute to shadowing onto adjacent properties. The house that was previously constructed on the lot will be demolished. A Custom Home application (File # CH-2024-0005) has been submitted for the newly proposed residential development on the subject parcel. City Staff will have the opportunity to further review the application to ensure that the proposed development is appropriate within the neighborhood context. Subject to the recommended conditions of approval, the requested variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance seeks to permit an increased height to a main dwelling and is not expected to create adverse impacts on-site or off-site, nor alter the character of the community. The development

will maintain the character of the surrounding area which is primarily single detached homes. The proposed home will be adequately setback from neighbouring properties. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planner I

Appendix A:

