



Report Committee of Adjustment

Filing Date: May 16, 2024
Hearing Date: June 18, 2024

File: A-2024-0172

**Owner/
Applicant:** EFRY Hope and Help for Women
Lisa Zanon Property Manager

Address: 30 Ellen Street

Ward: 1

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0172 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. The Owner must provide at a minimum, Stage 1 Archaeological Assessment, for all lands within the subject application, and shall mitigate adverse impacts to any significant archaeological resources found, to the satisfaction of the City and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). Complete archaeological assessment and all associated MHSTCI acceptance letters are required prior to enactment of the zoning by-law. No grading, filling, or any form of soil disturbances shall take place on the subject property prior to the acceptance of the Archaeological Assessment(s) by MHSTCI and the City of Brampton Heritage staff indicating that all archaeological resource concerns have met licensing and resource conservation requirements. Should a cemetery be discovered during any phase of the Archaeological Assessment(s), topsoil stripping, grading or construction, the Owner shall, at their expense, undertake mitigation measures to the satisfaction of applicable provincial agencies and the Commissioner, Planning and Development Services. If the lands were subject to a previous Archaeological Assessment that was accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) and City Heritage staff, the applicant must provide a copy of the report(s) and associated correspondence from the MHSTCI and Heritage staff confirming that all archaeological resource concerns have met licensing and resource conservation requirements;

3. That drainage from the proposed detached garage shall flow directly onto the applicant's property;
 4. That no commercial or industrial uses shall operate from the detached garage;
 5. That the owner/applicant to 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; and
 6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential Single Detached B (R1B)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a detached garage having a height of 6.27 metres, whereas the by-law permits a maximum detached garage height of 4.5 metres; and
2. To permit a 2 storey detached garage having gross floor area of 67.63 square metres, whereas the by-law permits a maximum gross floor area of 48 square metres.

Current Situation:

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

The subject property is designated as 'Central Area' in the Official Plan and 'Medium Density Residential' in the Downtown Brampton Secondary Plan (Area 7). In regards to the Council Endorsed Brampton Plan (2023) the property is designated as 'Community Areas' on Schedule 1A – City Structure and 'Mixed Use' on Schedule 2 – Designations. The requested variances have no impact within the context of the policies of the Official Plan and Secondary Plan, and maintains the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Single Detached B (R1B)', according to By-law 270-2004, as amended.

Variance 1 is requested to permit a detached garage having a height of 6.27 metres, whereas the by-law permits a maximum detached garage height of 4.5 metres. Variance 2 is requested to permit a 2 storey detached garage having gross floor area of 67.63 square metres, whereas the by-law permits a

maximum gross floor area of 48 square metres. The intent of the By-law in regulating the maximum garage height is to ensure that garages do not have a commercial appearance and in regulating the size of detached garages is to ensure that they are used for parking purposes and aren't visually dominant in terms of massing on the site.

The proposed detached garage is intended to provide sufficient area for the parking of vehicles inside which are currently stored outside on the owner's driveway. The proposed size of the garage will be proportionate to the site and constitute overdevelopment. In this case, the height of the garage is of a scale in keeping with the overall appearance of the existing dwelling. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to permit a detached garage having a height of 6.27 metres and a gross floor area of 67.63 square metres. The proposed garage will replace the outside parking of vehicles on the applicant's driveway and located adjacent to the home. Engineering staff have not noted any drainage concerns with the proposed garage. There are no negative visual impacts anticipated from the proposal given that building will in part be screened by existing mature vegetation on the property.

Heritage staff note that the subject property is located adjacent to a listed heritage resource of 24 Alexander Street. The design of the detached garage in terms of the materials and color schemes, to follow the elegant modesty of the existing house and the heritage context, to not impact the heritage character of the neighbourhood. The roof height of the proposed detached garage to be lower than the existing house roof line. A condition of approval is recommended that the Owner must provide at a minimum, Stage 1 Archaeological Assessment, for all lands within the subject application, and shall mitigate adverse impacts to any significant archaeological resources found, to the satisfaction of the City and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). A further condition of approval is provided that the owner/applicant to 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.

Subject to the recommended conditions of approval, the variances are desirable for the appropriate development of the land.

4. Minor in Nature

The variances are requested to facilitate the development of a 2-storey detached garage on the property. The requested garage height of 6.27m is 1.77m greater than the by-law permits, and the requested 67.63 square metre gross floor area is 19.63 square metres greater than the by-law permits. The detached garage will provide the owner with additional area to park vehicles as well as storage space for equipment and household items. The 2-storey detached garage will not create any adverse impact or alter the character of the area. The variances are considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Site Visit Photos – Appendix A

