

Principals

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

May 27, 2024

GWD File: 16.2194.00 COA

The Corporation of the City of Brampton 2 Wellington Street West City of Brampton, Ontario L6Y 4R2

Attention: Ms. Clara Vani

Secretary-Treasurer, Committee of Adjustment

Subject: Application to the Committee of Adjustment – Minor Variance

76 & 76A Main Street South, Part of Lot 3, Plan BR21

Part of Lot 4, Concession 1, E.H.S.

City of Brampton, Ontario

City Files: A-2024-0179, A-2024-0180

City Related Files: CH-2023-0033, SPA-2019-0053

Ward 3

Dear Clara:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to the Registered Owners of 76 and 76A Main Street South, in the City of Brampton

By way of background Committee of Adjustment Applications A17-45, A17-46, and B17-004 were approved by the Local Planning Appeal Tribunal (LPAT) in a decision dated January 18, 2020 (Case No.: PL171375). The approval included a number of conditions, one of which required a comprehensive planning process to secure Site Plan Approval prior to any development of the severed and retained lands. Working closely City and Regional Staff all conditions were fulfilled in the fall of 2019 and on January 17, 2020 the Consent Certificate was issued.

On October 7, 2019 a formal Site Plan Approval Application was filed proposing a new 2-storey residential dwelling and detached garage on the severed lands (76A MSS). The existing 2-storey residence on the retained lands (76 MSS) is to be preserved and will remain in-situ, its new driveway implemented as part of the construction of the dwelling on 76A MSS.

As a result of *Bill 23, More Homes Built Faster Act, 2022*, which received Royal Assent on November 28, 2022, the SPA Application transitioned to the Custom Home Architectural Control Review process.



The Applications have collectively undergone three (3) rounds of review and is now substantially complete. As part of the latest review City Zoning Staff advised that both the severed and retained lands do not comply with select zoning performance standards.

Attached to this letter is the current architectural plan set and detailed landscape plan.

Preliminary Policy and Zoning Review

The subject lands are designated '<u>Central Area</u>' in the 2006 City of Brampton Official Plan and '<u>Low Density Residential</u>' within the Downtown Brampton Secondary Plan (Area 7). They are also located within '<u>Special Policy Area 1</u>' of the Secondary Plan which identifies the Main Street South as an important character area.

Comprehensive Zoning By-law 270-2004; as amended; zones the subject lands 'Residential Single Detached A – Special Section 3307 (R1A-3307)'. They are located within the boundaries of the City's 'Mature Neighbourhood Areas'.

Minor Variance Application

GWD is pleased to submit the attached Applications to the Committee of Adjustment to permit the following Variances:

A-2024-0179 – 76 Main Street South (Retained Lands)

1. To permit a maximum driveway width of 12.25 metres, whereas the Zoning By-law permits a maximum driveway width of 9.14 metres (10.0 metres per CofA A17-046).

A-2024-0180 – 76A Main Street South (Severed Lands)

- 1. To permit a width of 0.30 metres for a permeable surface between an interior lot line and a driveway, whereas the By-law requires a permeable surface of 0.60 metres abutting both side lot lines on interior lots of detached dwellings;
- 2. To permit a driveway width of 2.40 metres, whereas the By-law requires a driveway width of 3.0 metres;
- 3. To permit a driveway width of 15.25m, whereas the By-law permits a driveway width of 9.14 metres (12.0 metres per CofA A17-045); and
- 4. To permit a detached garage with a GFA of 86.0m², whereas the By-law permits a maximum GFA of 48.0m².

In support of the Applications we submit the following:

- Completed Application Forms;
- Covering Letter;
- Variance Plans (8½"x14") highlighting the requested zoning relief;



Processing Fees made payable to the "City of Brampton".

The Four Tests

Pursuant to Section 45(1) of the Planning Act, a Minor Variance Application must satisfy all 'Four Tests' as follows:

- 1. Does the Variance conform to the intent of the Official Plan?
- 2. Does the Variance conform to the intent of the Zoning By-law?
- 3. Is the proposal desirable for the appropriate development or use of the lands?
- 4. Is the proposal minor in nature?

Test 1 – Does the Minor Variance Conform to the Intent of the Official Plan?

The requested Variances are performance related and as such do not impact or conflict with the goals and objectives of the City Official Plan or Secondary Plan. They will facilitate the upgrade and development of the subject lands in an orderly manner.

The Variances conform to the general intent of the City Official Plan and Secondary Plan.

Test 2 – Does the Minor Variance Conform to the Intent of the Zoning By-Law?

<u>Driveway Width (A-2024-0179 – Variance 1, A-2024-0180 – Variances 2, 3)</u>

According to Zoning By-law 270-2004:

"Driveway, Residential" shall mean the hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone) on detached, semi-detached or townhouse dwelling lots, and that hard and level surface on the road right-of-way to the street edge, upon which vehicles drive and park, and such hard and level surface includes a surfaced walk situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part or the whole of a motor vehicle. The width of the Residential Driveway is measured parallel to the front of an attached garage or in the case of a lot where there is no garage or there is a detached garage, the driveway width is measured perpendicular to the direction in which motor vehicles drive and park on the driveway.

The general intent and purpose of the Zoning By-law regulating maximum driveway width is to ensure that residential lots are not dominated by vehicular parking areas and to ensure that sufficient landscaped areas are provided. By contrast the Zoning By-law regulates minimum driveway widths to ensure that there is sufficient space for vehicles to safely access parking spaces with minimum risk to pedestrians, vehicles, and property.

The requested variances to permit wider driveway widths in select locations appropriately balance the need to provide functional parking spaces and front yard landscaped open space. The wider driveways comprising of asphalt and paving stones



are setback more than 20 metres from the street and are not anticipated to negatively impact the public road allowance. The detailed plans filed in support of the Custom Home Review ensures that adequate front yard landscaping will create an attractive streetscape.

The narrower driveway located on the north side of the new dwelling is limited in length and gradually increases in width when approaching the detached garage in the rear. Given the minimal number of vehicular movements and the fact that the average width of a car ranges between 1.8 to 2.5 metres, the reduced width is anticipated to provide adequate space for vehicles to safely maneuver.

Permeable Surface (A-2024-0179 – Variance 1)

The general intent and purpose of the Zoning By-law requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for stormwater drainage and that drainage on adjacent properties is not impacted.

The 0.30 metre reduction in permeable landscaping along the north side lot line of 76A MSS is restricted to the area between the front of the dwelling and detached garage. The area comprising of permeable stone is sufficient in width to allow for infiltration drainage on the property. In support of the Custom Home Review Application a detailed Site Servicing and Grading Plan was prepared by a licensed engineer, ensuring that the abutting properties are not adversely by each other's drainage. The Plan has been accepted by City Development Engineering Services.

<u>Detached Garage (A-2024-0180 – Variance 4)</u>

According to Zoning By-law 270-2004:

"Garage, Private" shall mean an enclosed structure for the storage of one or more vehicles from which no business, occupation or service other than a home occupation is conducted for profit.

"Accessory Building" shall mean a detached building located on the same lot and used for a purpose which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings on it, and shall include detached garages, sheds, barns and similar storage facilities

Section 10.4 Detached Garage or Carport of the Zoning By-law regulates that a detached private garage or carport as an accessory building may be located in a side yard or rear yard of a lot in a Residential Zone subject to the requirements and restrictions including having a maximum GFA of 48m².

The general intent and purpose of the Zoning By-law regulating the size of a detached garage on a residential property is to ensure that the parking and storing of vehicles is not the primary function or use of a residential property.



The size and placement of the proposed garage is subordinate to the principal residence and is intended to be accessory (i.e., storage of vehicles and personal items). Its location which is well setback from MSS and partially screened by the new dwelling. Additionally, there is a significant amount of vegetation (existing and proposed) that will provide screening. The property is of such a large size that the garage is not anticipated to be obtrusive or generate a sense of overdevelopment.

By way of comparison in 2010 the former Owner of the 78 MSS secured the Committee's unanimous approval to permit a detached garage having a GFA of 83.5m² with a height of 6.2 metres (City File: A 10-028).

The Variances are considered to conform to the general intent of Zoning By-law 270-2004.

Test 3 – Is the Minor Variance Desirable and Appropriate for the Area?

The neighbourhood has for many years been undergoing reinvestment and revitalization in the form of both renovation and entirely new construction. This aids in guaranteeing the neighbourhood's future stability and reinforces its existing character.

The proposal is permitted in the Official Plan, Secondary Plan and Zoning By-law. The requested Variances will facilitate the development/redevelopment of residential lots contributing to the urbanization of this area of the City. They are not excessive or out of character with the area context.

The Custom Home Review is substantially complete and City Staff are satisfied from matters pertaining to heritage planning, landscape/open space design, tree preservation and replacement, site servicing, grading and drainage.

The Variances are considered desirable and appropriate for the area.

Test 4 – Is the Minor Variance Minor in Nature?

When viewed either individually or collectively, the requested Variances will result in the orderly development of the subject lands. 76 MSS is already occupied by a detached dwelling, a private driveway is now needed to ensure that it can be independently accessed. No significant on-site or off-site impacts are anticipated. The Variances do not change the intended use or impede the intended function of the properties for residential land use. Rather, they represent refinements which are consistent with similar relief secured by other homeowners in the area.

Subject to completing the Custom Home Review process, the requested Variances are minor in nature.



Conclusion

The Minor Variance Applications have been filed for the purposes of facilitating the development of the subject lands for residential purposes. The requested Variances has been reviewed in the context of the relevant provisions of the *Planning Act*. We are of the opinion that the Variances satisfy the four (4) tests and can be supported from a land use and policy perspective and represent good planning. We respectfully request that they be approved by the Committee of Adjustment.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Marc De Nardis, B.U.R.Pl., M.C.I.P., R.P.P.

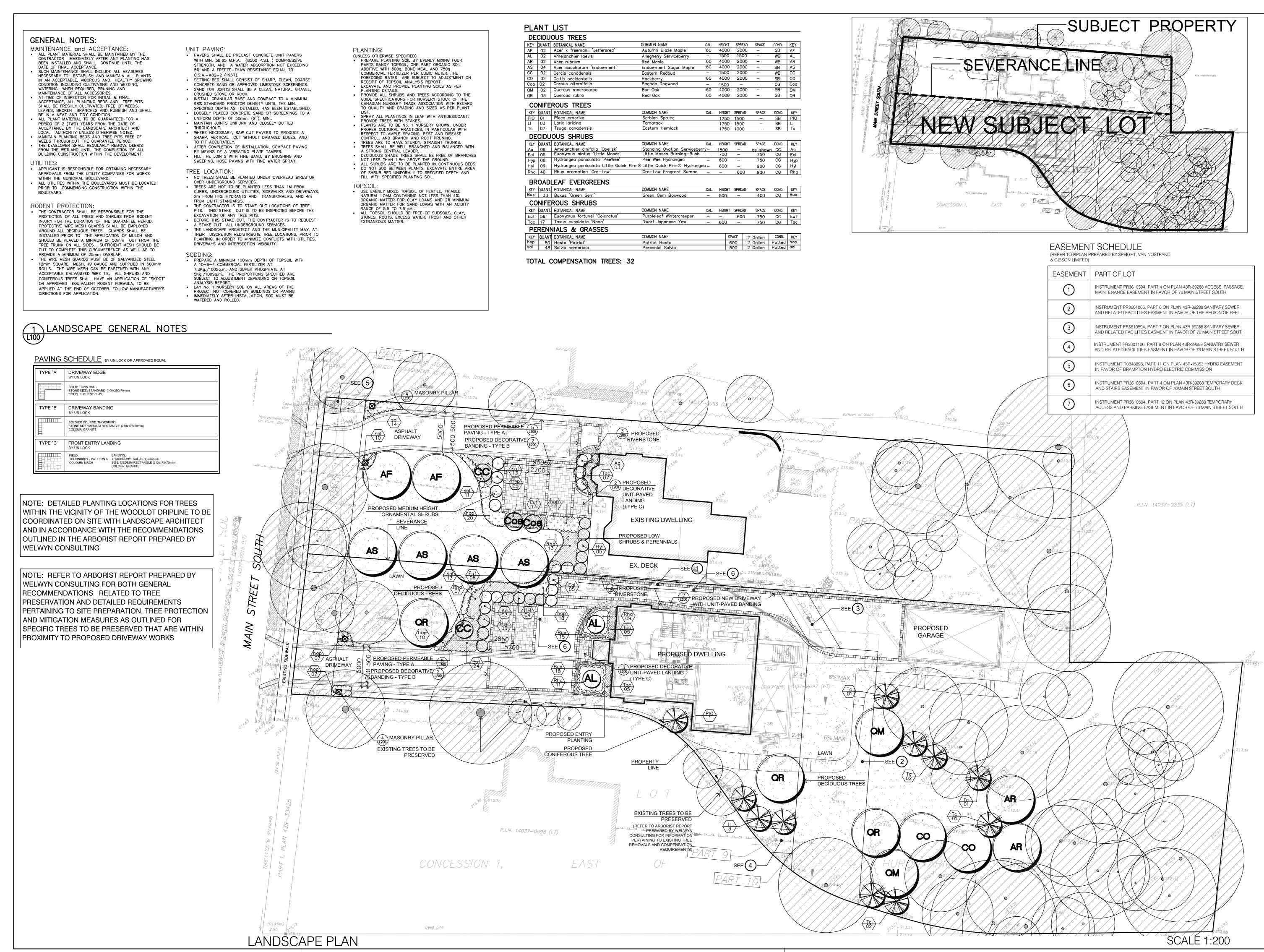
Planning Associate

mdenardis@gwdplanners.com

C.c.: E. Lewis, City of Brampton

F. Hemon-Morneau, City of Brampton

M. Gagnon, Gagnon Walker Domes Ltd.



GENERAL NOTES

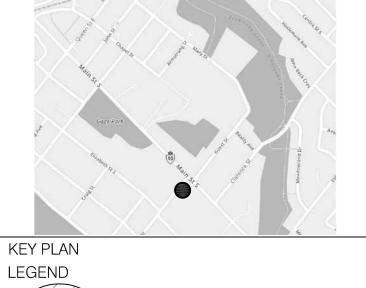
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LATEST REVISED DRAWINGS.

DO NOT SCALE DRAWINGS. REPORT ANY DISCREPANCIES, DISCOVERED ERRORS, OR OMISSIONS TO THE LANDSCAPE ARCHITECT BEFORE PROCEEDING. IT IS ADVISED THAT CONTRACTORS CONTACT THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION TO ENSURE THE USE OF THE

DRAWINGS AND SPECIFICATIONS ARE THE





EXISTING TREE TO BE PRESERVED PROPOSED DECIDUOUS TREE

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PROPOSED ORNAMENTAL SHRUB (MEDIUM HEIGHT) PROPOSED FORMAL HEDGING

PROPOSED LOW SHRUBS & PERENNIALS PROPOSED PLANT KEY AND QUANTITY

JAN 31, 2023

No. DATE.

MAR 26, 2024 | REVISED PER CITY COMMENTS

ISSUED FOR COORDINATION

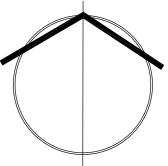
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It is the responsibility of the Contractor and/or Owner to ensure that the drawings with the latest revisions are used for construction.

3 MAY 19, 2023 ISSUED FOR SUBMISSION

1 JAN 16, 2023 ISSUED FOR CLIENT REVIEW

REVISION.







WWW.STRYBOS.COM

STRYBOS BARRON KING LANDSCAPE ARCHITECTURE

PROPOSED NEW DWELLING

76A MAIN STREET SOUTH (SOUTH PARCEL) BRAMPTON, ONTARIO

City File #'s: CH-2023-0033 / SPA-2019-0053

PULIS INVESTMENT GROUP

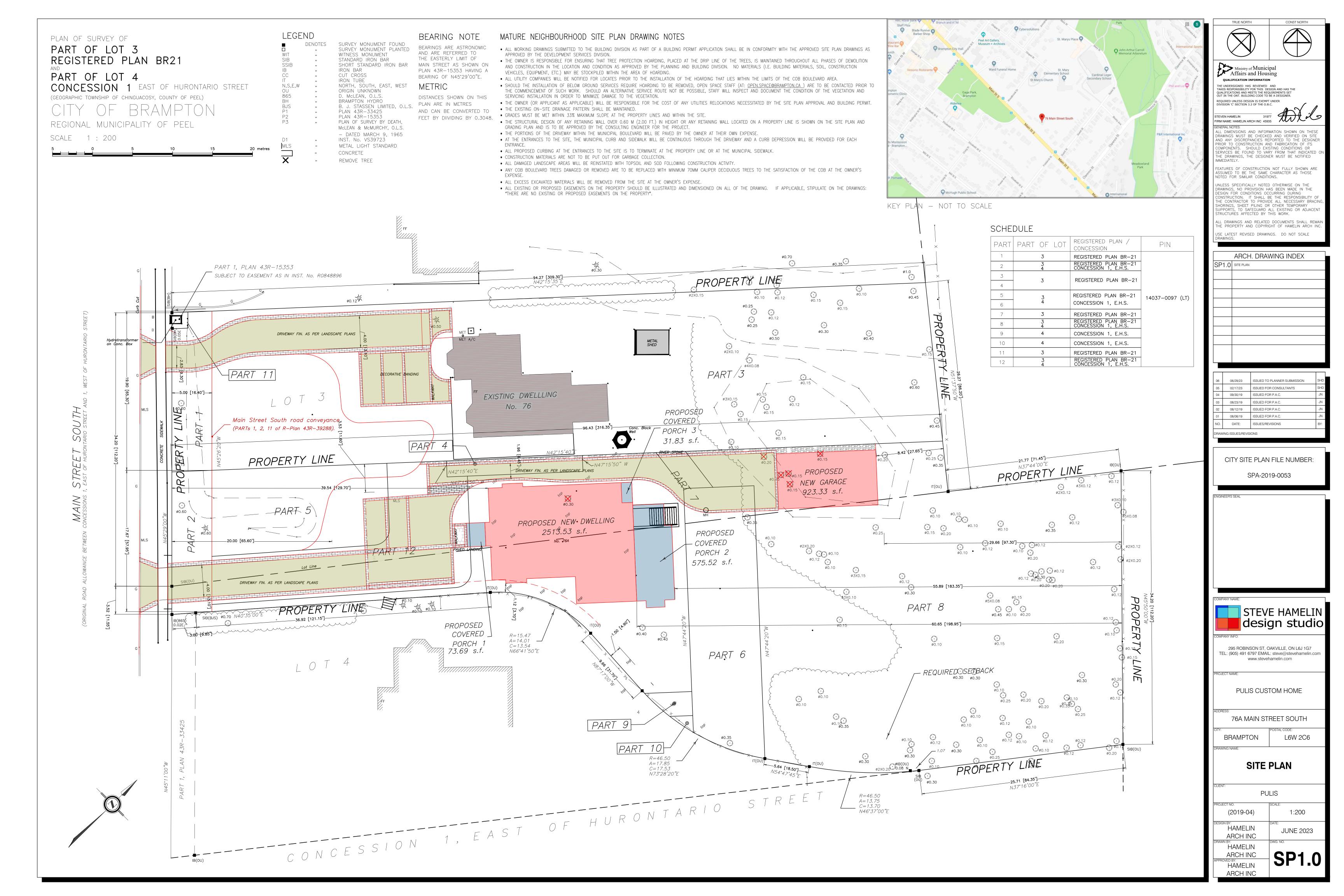
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LANDSCAPE PLAN

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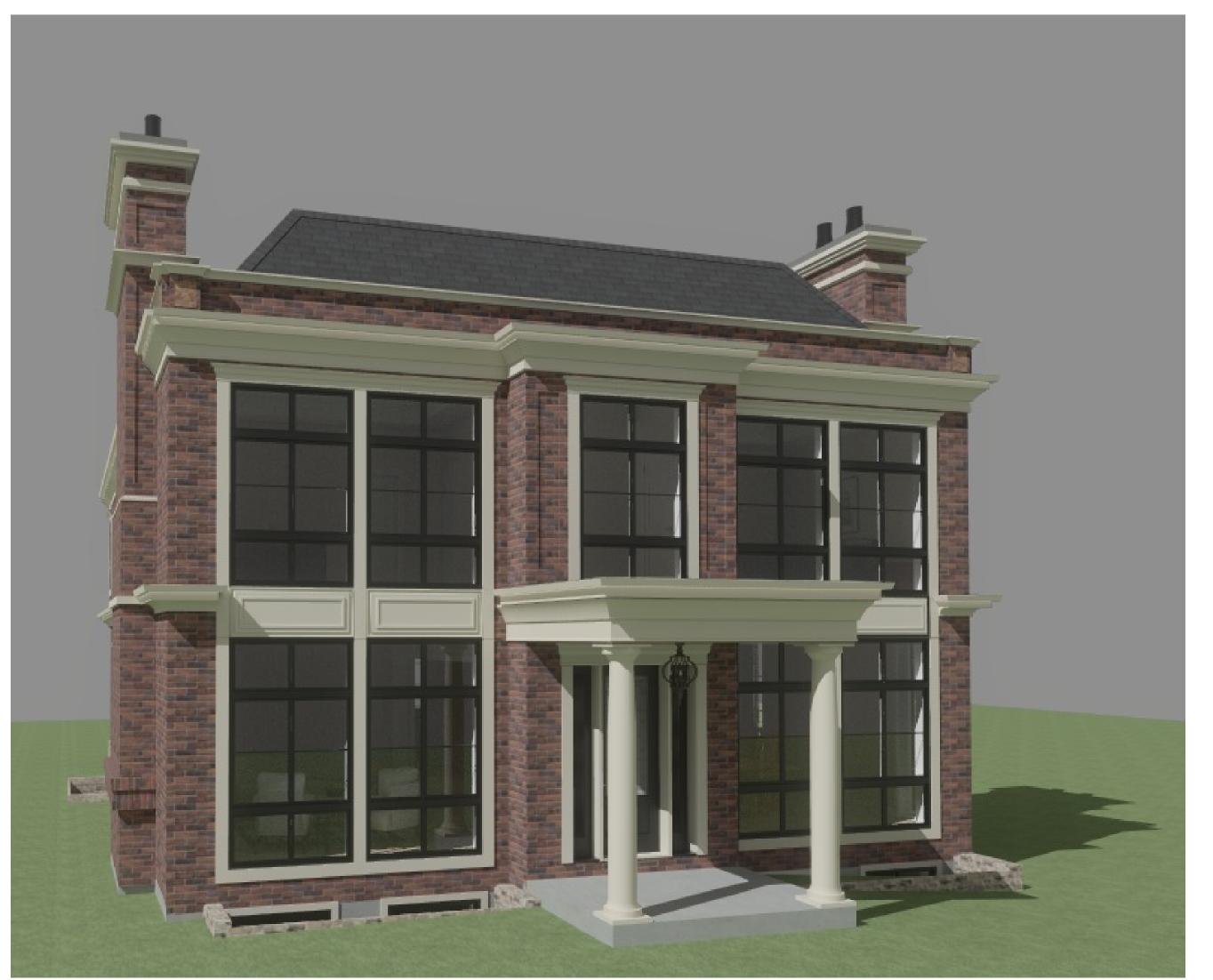
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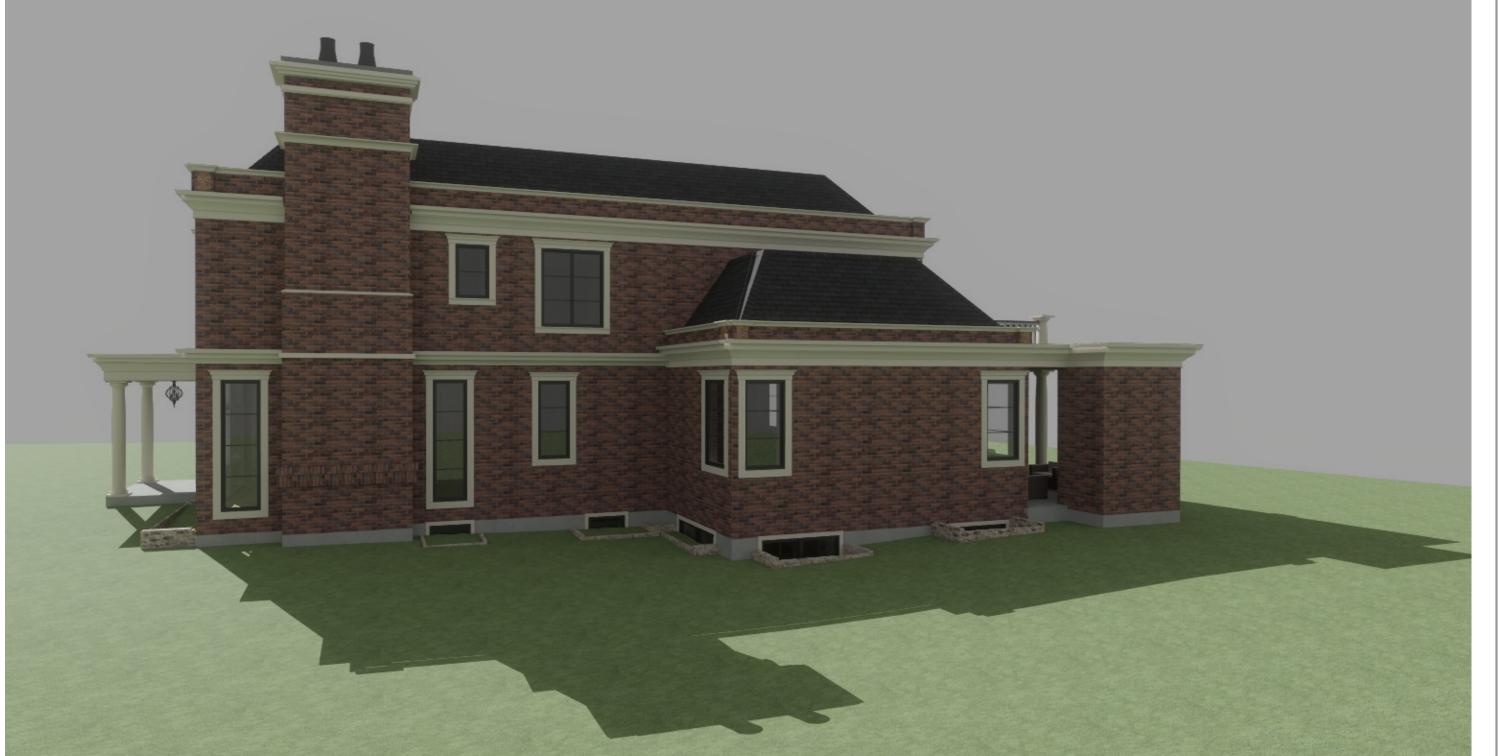




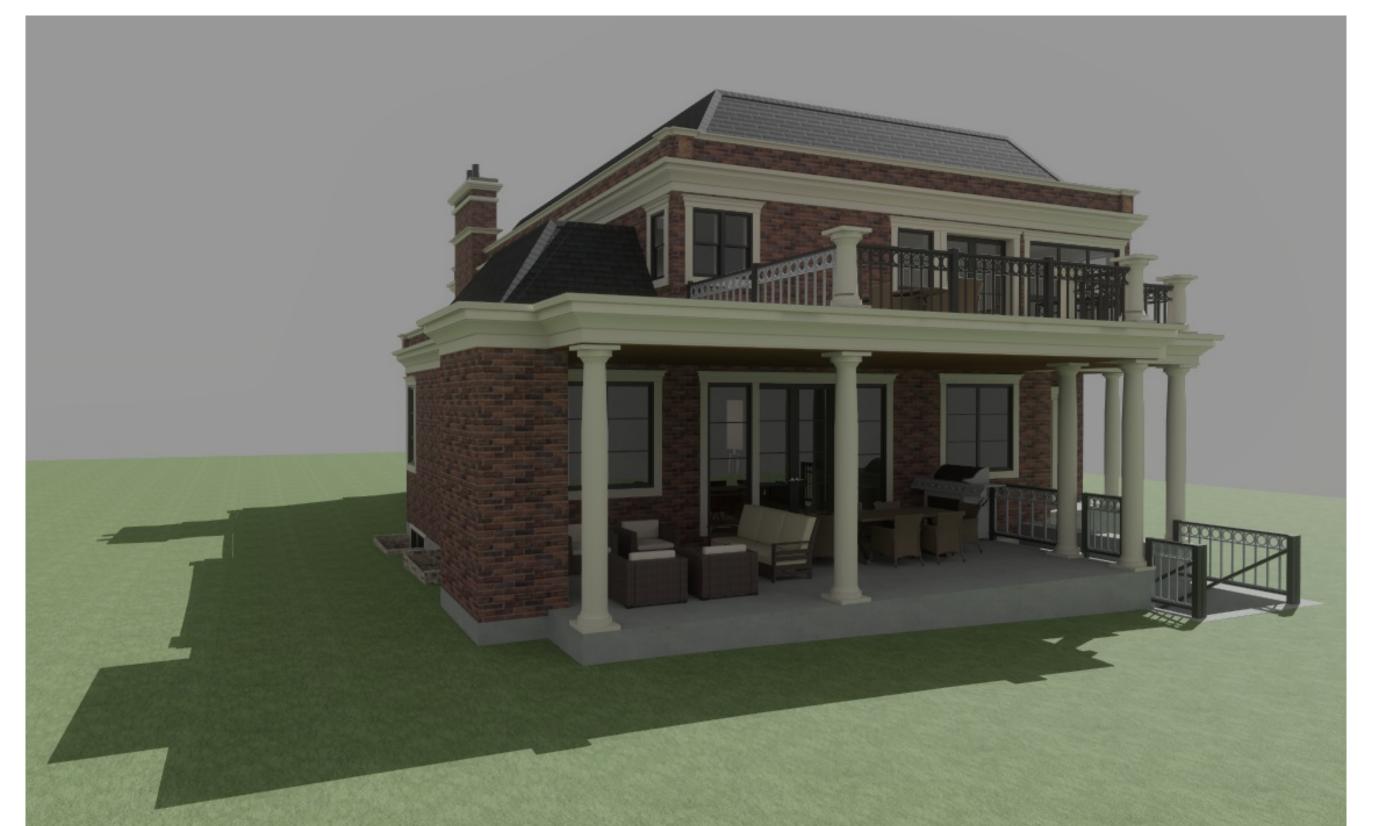


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A 7	SCHEDULES/DETAILS
A 8	DETACHED GARAGE

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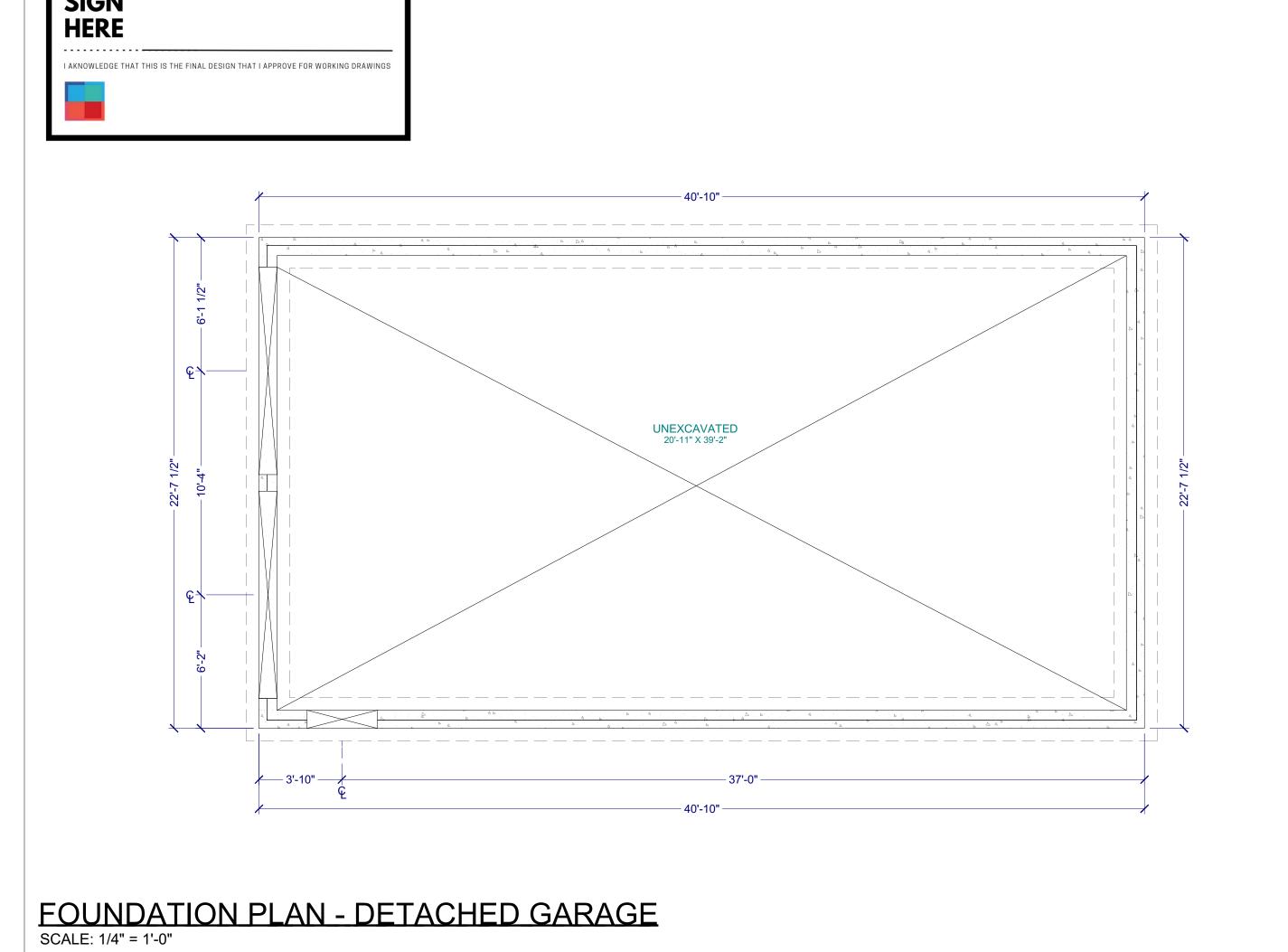
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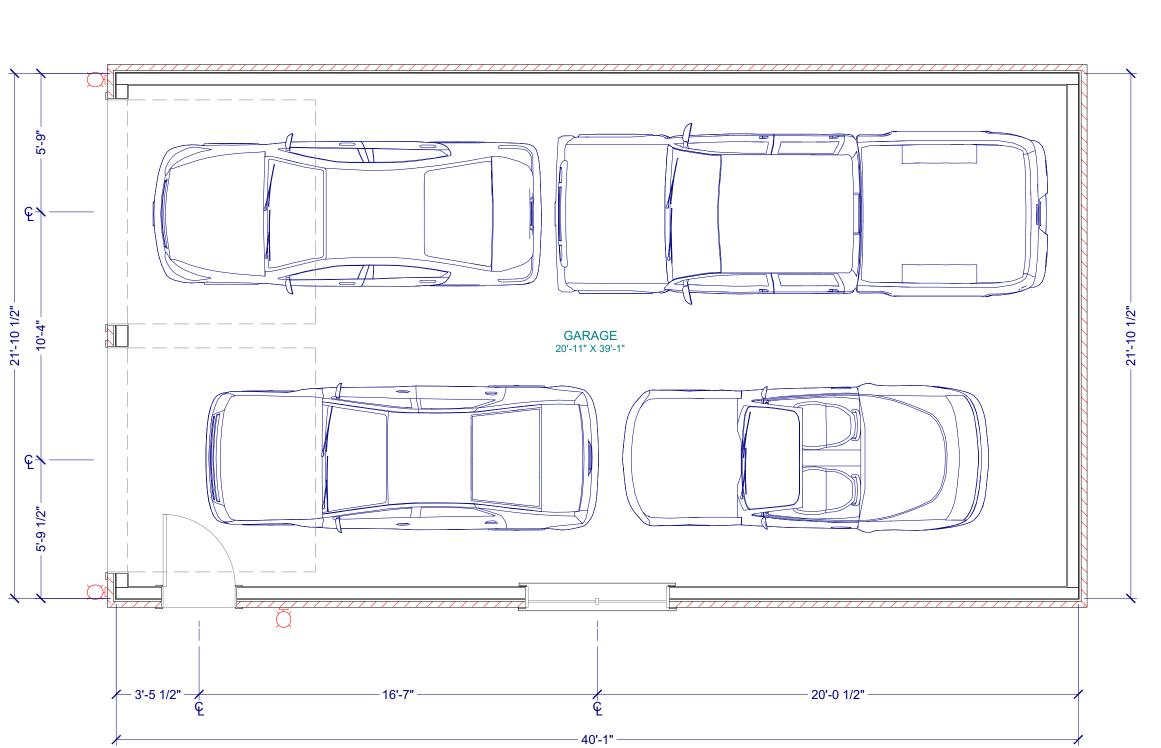
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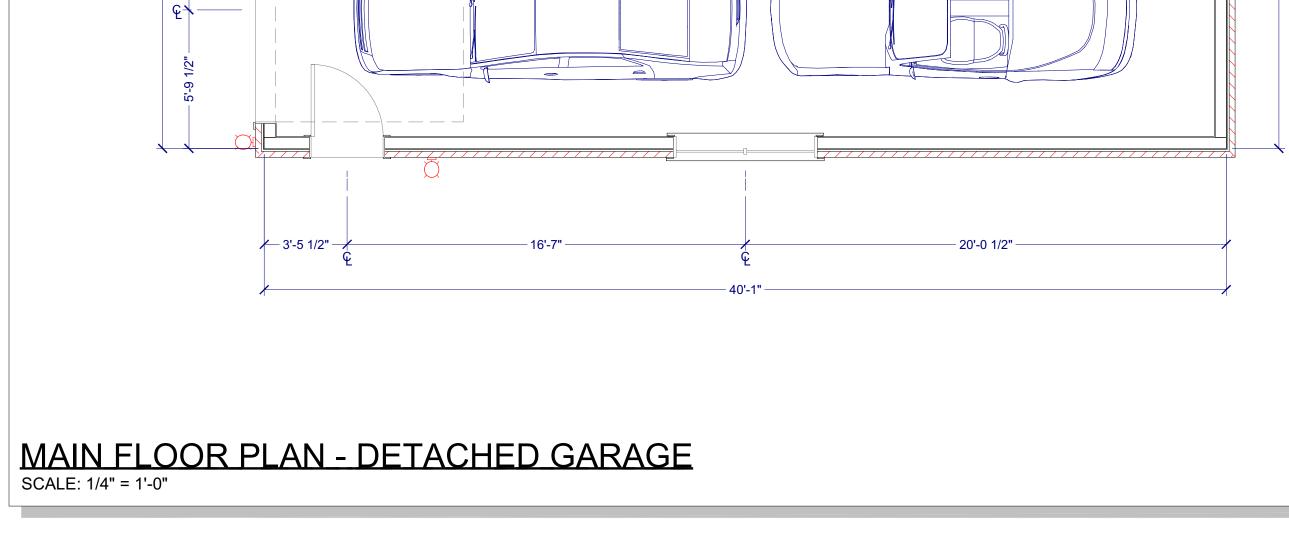
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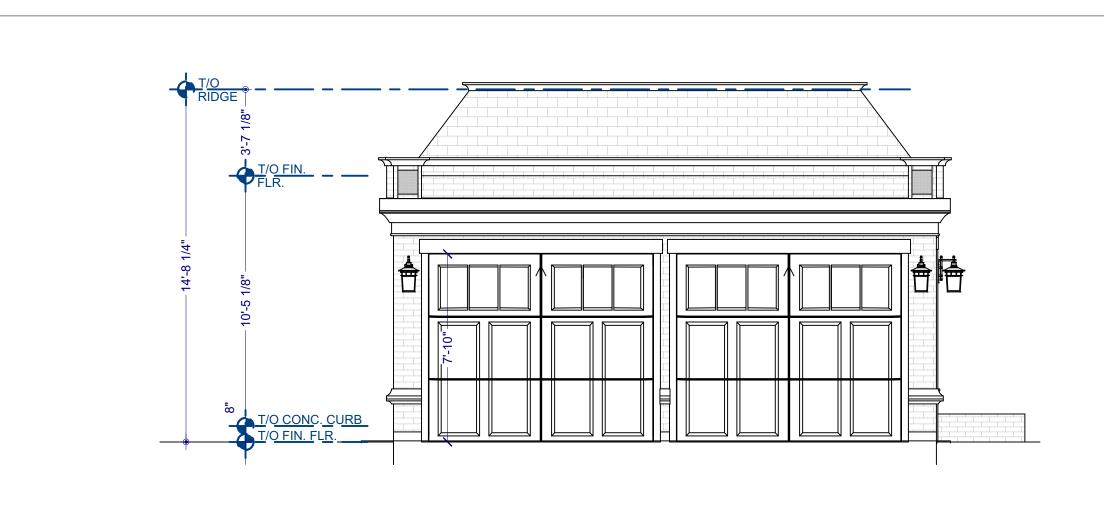
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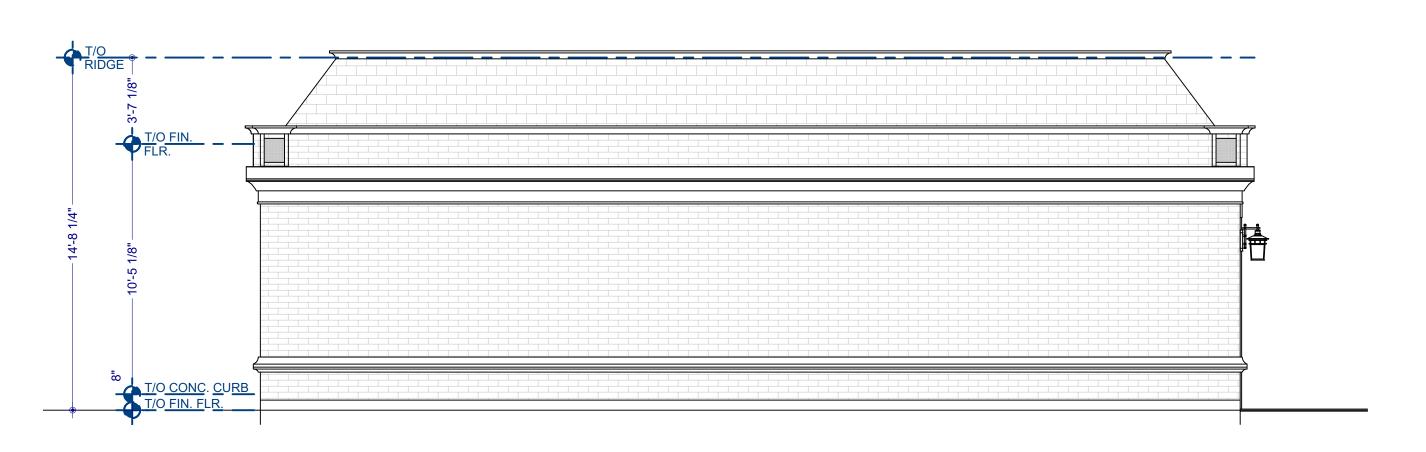




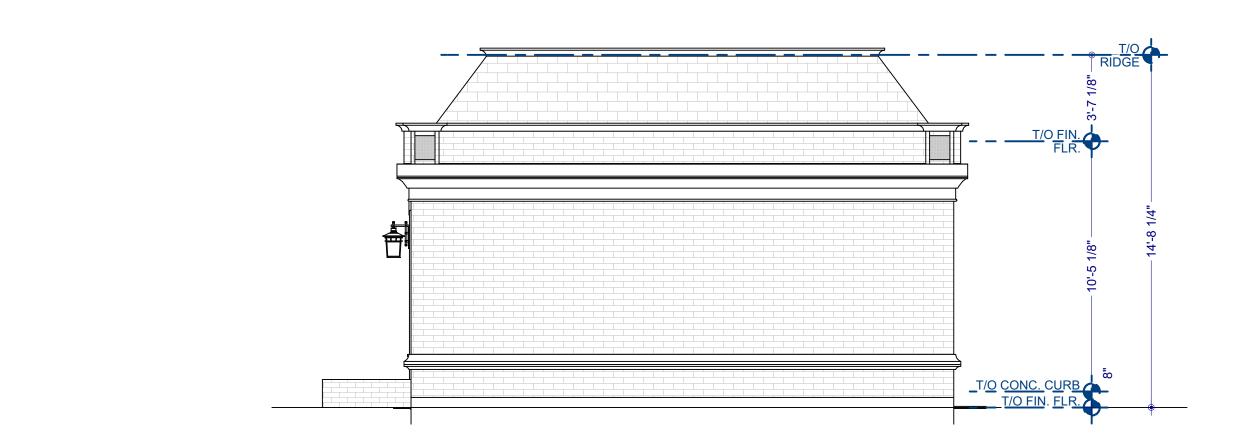




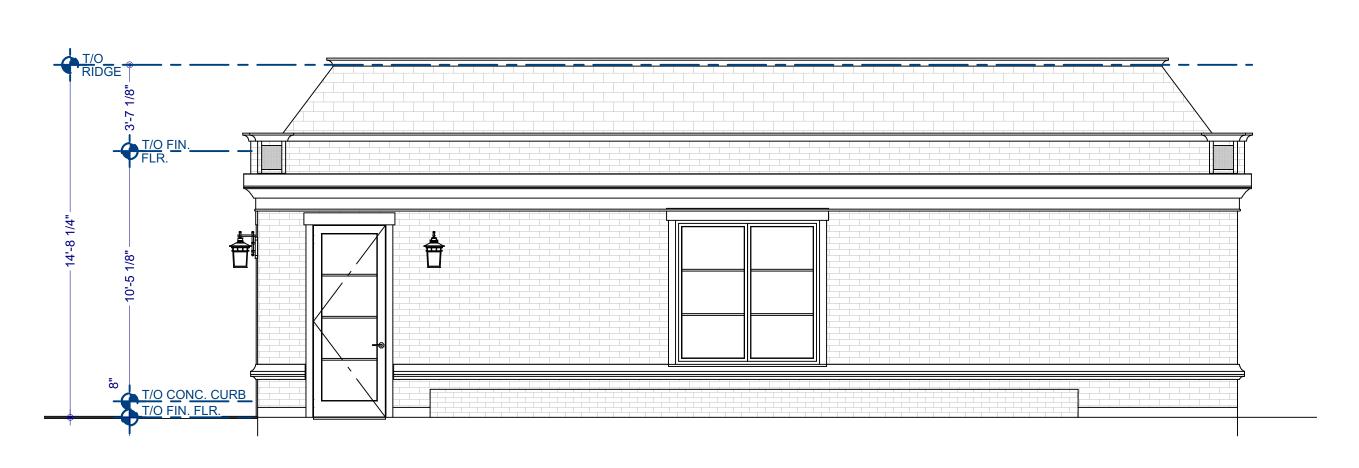
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2022-12-07

(2019-04)

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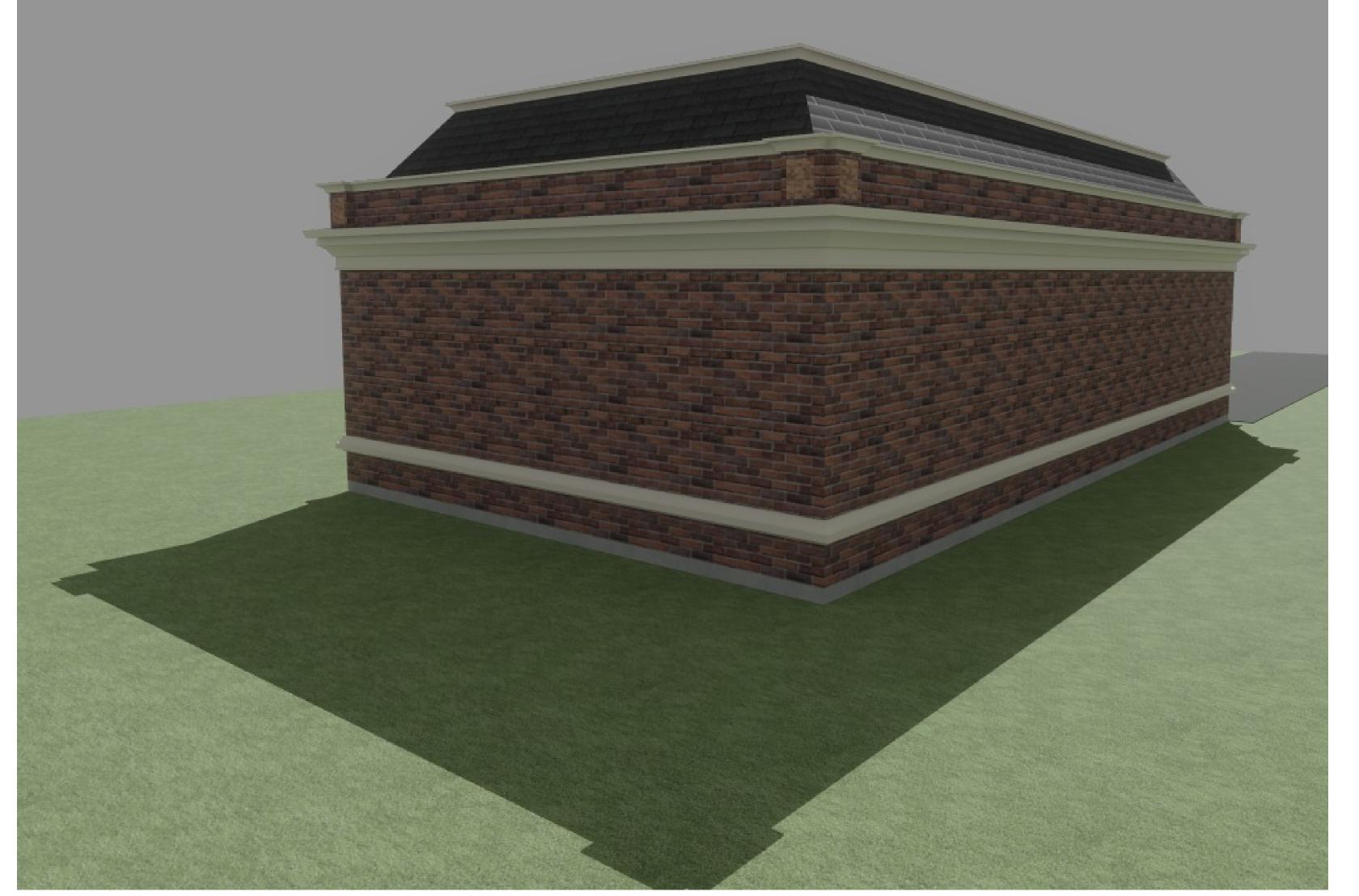
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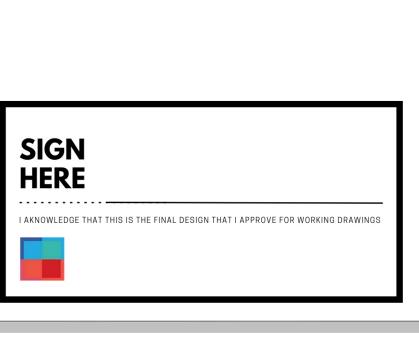
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DRAWING ISSUES/REVISIONS

NO. DATE: ISSUES/REVISIONS: BY:

- ADDED DIMENSION
STRING TO MID POINT OF
ROOF AS PER 28JUNE2022
TOWN COMMENTS
- UPDATED EXTERIOR

DEC - UPDATED EXTERIOR
22 ELEVATIONS AS PER
MEETINGS WITH CLIENT
AND HIA ARCHITECT
- ADDED DESIGN SIGN OFF
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ENGINEER SEAL:

COMPANY NAME:



COMPANY INFO:
295, ROBINSON ST., UNIT 100
OAKVILLE, ON. L6J 1G7
60, HURONTARIO ST.
COLLINGWOOD, ON. L9Y 2L7
TEL: (905) 491-6797 FAX: (905) 337-5918
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PULIS RESIDENCE
CITY FILE: SPA-2019-0053
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PROJECT ADDRESS:

76, MAIN ST. SOUTH

PROJECT CITY/TOWN:

BRAMPTON, ON.

POSTAL CODE:

L6W 2C6

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EXTERIOR RENDERS - DETACHED GARAGE

CLIENT NAME:

PULIS

PROJECT NO.:

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SCALE:

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