



## Report Committee of Adjustment

**Filing Date:** July 4, 2024  
**Hearing Date:** August 20, 2024

**File:** A-2024-0247

**Owner/  
Applicant:** Zachana Jacob, Sophy Zacharia  
Richard Mateljan

**Address:** 16 Pali Drive

**Ward:** WARD 10

**Contact:** Emily Mailling, Planning Technician

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### **Recommendations:**

That application A-2024-0247 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. That drainage shall not be adversely affected on adjacent properties; and,
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

The property occurred fire damage and a demolition permit was issued by the City in 2022. A new permit has been issued in 2023 for a new single family detached dwelling. This application is to request a variance to the respected by-laws to permit issuance of a revision permit.

### Existing Zoning:

The property is zoned 'Residential Single Detached A Special Section 1716 (R1A – SS 1716 )', according to By-law 270-2004, as amended.

### Requested Variance:

The applicants are requesting the following variance:

1. To permit a rear yard setback of 6.10 metres to a proposed two storey single family dwelling, whereas the by-law requires a minimum rear yard setback to 10.0 metres.

**Current Situation:**

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

The subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhood' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The subject property is designated 'Residential' in the Official Plan and 'Residential' in the Vales of Castlemore Secondary Plan (Area 42). As per the Regionally-Approved Brampton Plan the subject property is designated 'Community Areas' (Schedule 1A) and 'Neighbourhoods' (Schedule 2). The requested variance is not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies and 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 rear yard setback of 6.10 metres to a proposed two storey single family dwelling, whereas the by-law requires a minimum rear yard setback to 10.0 metres. The intent of the by-law in regulating the required rear yard setback is to ensure that sufficient space is provided for the rear yard amenity area for the property.

The applicant is proposing to construct a two storey addition to the currently approved single detached dwelling that is being constructed on the property. The addition will be located along the northern rear wall of the dwelling and will maintain all other zoning requirements, except for the rear yard setback. Considering the location of the proposed addition relative to the property and the fact that no residential dwellings are located to the rear of the property the addition is not anticipated to adversely impact the visual massing or shadowing on adjacent properties. The 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 variance is requested to permit a rear yard setback of 6.10 metres to a proposed two storey single family dwelling, whereas the by-law requires a minimum rear yard setback to 10.0 metres. A 3.9m reduction to the rear yard setback is required which is not anticipated to detract from the provision of outdoor amenity space due to the lot size and configuration. Furthermore, the reduced rear yard setback is not anticipated to negatively impact the overall residential use of the property or adjacent

properties and the majority of the dwelling will continue to maintain the required setback. The requested variance is considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to permit a rear yard setback of 6.10 metres to a proposed two storey single family dwelling, whereas the by-law requires a minimum rear yard setback to 10.0 metres. The reduced rear yard setback of 3.9m is not anticipated to significantly impact shadowing or contribute to a massing that imposes onto adjacent properties. The proposed rear yard setback is not considered to be a significant deviation from the minimum requirements of the by-law and will facilitate the overall design of the building. Subject to the recommended conditions of approval, the variances are considered minor in nature..

Respectfully Submitted,

*EMailling*

Emily Mailling, Planning Technician

#### **Site Visit Photos**

