



Report Committee of Adjustment

Filing Date: August 12, 2024
Hearing Date: September 17, 2024

File: A-2024-0308

**Owner/
Applicant:** Dennis Smith, Olufunlola Olubukola Smith
Donya Abasiliasi

Address: 16 Amberglow Court

Ward: Ward 4

Contact: Emily Mailling, Planning Technician

Recommendations:

That application A-2024-0308 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 the amount of glazed openings will be restricted based on the limiting distance, and is required to conform to Division B, 9. 10. 15. 4. Of the Ontario Building Code;
 3. That the sunroom addition remain 1-storey in height; 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 – Special Section 2070(F-x -R1F-2070), according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a rear yard setback of 2.36 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 6.0 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 property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Credit Valley Secondary Plan (Area 45). The requested variance has 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 variance is requested to permit a rear yard setback of 2.36 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 6.0 metres. The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property.

The location and the configuration of the addition relative to the lot size and surrounding size ensures that the 3.64m reduction in the rear yard setback will not generate massing and privacy impacts as the proposed addition as recommended by staff will be restricted to a 1-storey height, and sufficient distance is maintained between neighboring properties. Additionally, the subject property still maintains sufficient amenity space in the rear yard. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

Desirable for the Appropriate Development of the Land

The Variance is requested to permit a rear yard setback of 2.36 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 6.0 metres. Given the size of the rear yard and the configuration of the addition, the proposed sunroom is not anticipated to limit the overall provision of amenity space or cause negative visual impacts as it will be limited in height to 1-storey. Furthermore, Building Staff have advised that the amount of glazed openings will be restricted based on the limiting distance, and is required to conform to Division B, 9.10.15.4. of the Ontario

Building Code. Subject to the recommended conditions, the variance is desirable for the appropriate development of the land.

3. Minor in Nature

In relation to the requested Variance, the proposed sunroom addition is not anticipated to negatively impact the function of the rear yard amenity space. Privacy concerns are mitigated as the addition maintains the interior side yard setback requirements to the neighbouring properties. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

EMailling

Emily Mailling, Planning Technician

Site Visit Photos

