



Report Committee of Adjustment

Filing Date: August 22, 2024
Hearing Date: October 15, 2024

File: A-2024-0326

**Owner/
Applicant:** Carlos Sierra
Joseph Domb

Address: 740 Balmoral Drive

Ward: 7

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0326 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 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(1))', according to By-law 270-2004, as amended and is subject to the Mature Neighbourhood Area policies which has additional standards to ensure that proposed residential additions and replacement dwellings within older mature neighbourhoods are compatible with the existing character of the surrounding area.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a lot coverage of 34.9%, whereas the by-law permits a maximum lot coverage of 30%.

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 1 – Residential' in the Bramalea Secondary Plan (Area 3). The dwelling is also located within a Mature Neighbourhood. Official Plan section 4.2.1.20 outlines that development should be compatible with the general size, type and style of dwellings in the neighbourhood. Massing, scale and height of dwelling or building additions should be consistent with the host neighbourhood. The requested variance is not considered to have significant impacts within the context of the Official Plan policies.

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

The property is zoned 'Residential Single Detached B (R1B(1))', and further subject to the provisions of the Mature Neighbourhood by-law (69-2023)" according to By-law 270- 2004, as amended.

A variance is requested to permit a lot coverage of 34.9%, whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in regulating the maximum lot coverage is to ensure that the size and scale of the dwelling is appropriate for the lot. In the case of this request, the increased coverage is related to a proposed second floor addition, attached garage, and a covered patio at the rear of the of the dwelling. The increase in lot coverage to permit the proposed addition does not create any impacts with respect to drainage, access, privacy and shadowing on adjacent dwellings. All other aspects of the proposed dwelling complies with Zoning by-law requirements. Subject to the recommend 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

This property is subject to the Older, Mature Neighbourhood zoning provisions. The variance is requested to permit an increase to the lot coverage to facilitate the proposed dwelling as it relates to the percentage of the lot area covered by the building. The variance is requested to permit a 4.9% increase to the total lot coverage and is needed to permit the proposed dwelling. The increase in lot coverage is not anticipated to impact the scale of the dwelling in a significant way or contribute to the overdevelopment of the lot. The configuration of the proposed dwelling is considered to be appropriate and compatible with the subject property and neighbouring homes. Furthermore, sufficient space will be maintained for outdoor amenity area on the property. The Variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested lot coverage variance is required to facilitate the construction of a two-storey dwelling on the subject property. The 4.9% increase is not anticipated to negatively impact the massing or

scale of the dwelling as it relates to the subject property. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos

