



## Report Committee of Adjustment

**Filing Date:** June 6, 2024

**Hearing Date:** November 12, 2024

**File:** A-2024-0200

**Owner/  
Applicant:** Imam -e- Zamana Centre

**Address:** 4598 Countryside Drive

**Ward:** 10

**Contact:** François Hémon-Morneau, Principal Planner/ Supervisor

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### **Recommendations:**

That application A-2024-0200 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that generally shown on the sketch attached to the Notice of Decision or as revised through an Approved Site Plan;
  2. That a Site Plan application shall be submitted within 60 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
  3. The owner shall contact the Building Department to confirm if Building Permit – Change of Use is required within 90 days of the decision of approval or within an extended period of time as approved by the Chief Building Official;
  4. That the owner/applicant make arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to servicing the site prior to the submission of the required site plan application;
  5. That vehicle parking shall not occur within the natural heritage buffer;
  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:**

Staff note that a separate Site Plan (Appendix B) was prepared by the applicant to indicate the Landscape Open Space Areas on site.

Existing Zoning:

The property is zoned 'Residential Rural Estate 2 (RE2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit 21 tandem parking spaces in conjunction with a community club, whereas the by-law does not permit tandem parking spaces;
2. To permit a community club, whereas the by-law does not permit the use;
3. To permit a driveway for two-way traffic having a width of 5.06m, whereas the by-law requires a minimum driveway width of 6.0m for a two-way traffic driveway;'
4. To permit a total of 25 parking spaces, whereas the by-law requires a minimum of 29 parking spaces; and
5. To permit 63% of the front yard to be landscaped open space, whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

**Current Situation:**

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

The subject property is designated as 'Open Space' and 'Estate Residential' in the Official Plan. The subject property is designated as 'Community Areas' and 'Natural Heritage System' (Schedule 1A – City Structure) and 'Neighbourhood' and 'Natural Heritage System' (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.

As outlined in section 4.2.3 of the Official Plan, Estate Residential Housing is a low density, low intensity form of residential development characterized by large, individual lots which do not require full urban services. A condition of approval was provided by the Region of Peel that require the owner/applicant to make arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to servicing the site prior to the submission of the required site plan application. The property is located within the Toronto Gore Rural Estate Secondary Plan (Area 26), for which there is no Secondary Plan in place. The requested variances have no impact within the context of the policies of the Official Plan and Secondary Plan.

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

### *Community Club Use*

Variance 2 is requested to permit a community club, whereas the by-law does not permit the use. The purpose of the by-law's restrictions on permitted uses is to ensure that property uses are compatible and complementary to the surrounding neighborhood.

The property currently contains a one-story detached residential dwelling situated on a large site. This variance is requested to bring the community club, which has been operating informally on the property, into compliance with the zoning by-law. The property is zoned RE2, which primarily permits residential uses, such as single detached dwellings, Supportive Housing Residence Type 1, and non-residential uses that are accessory to permitted residential uses. The applicant proposes to formalize the use of the existing dwelling as a community club to offer various programs and activities intended to serve the local community. This proposal does not involve any expansion of the building structure, focusing instead on utilizing the existing space for community-oriented initiatives. Given the context of the site and subject to the recommended conditions of approval, the variance is considered to align with the general intent and purpose of the Zoning By-law.

### *Parking Variances*

Variance 1 is requesting to permit 21 tandem parking spaces in conjunction with a community club, whereas the by-law does not permit tandem parking spaces. Variance 4 is requesting to permit a total of 25 parking spaces, whereas the by-law requires a minimum of 29 parking spaces. Given the proposed use as a community club, the zoning by-law aims to ensure adequate on-site parking and functional site operation. To maximize space efficiency, the applicant proposes 21 tandem parking spaces.

The applicant has worked with City Traffic Services staff to develop a parking plan intended to generally meet the needs of the proposed community club. Staff are of the opinion that the proposed tandem parking and reduction in total required spaces will maintain site functionality despite not meeting the Zoning by-law requirements. A condition of approval requires that a site plan application be submitted within 60 days of the Committee's decision or within an extended period as approved by the Director of Development Services. Staff note that future land conveyances will be required through the Site Plan approval process to support the widening of Countryside Drive. This conveyance may necessitate the realignment of the property's main driveway access; therefore, the sketch shows both the current and proposed driveway locations. Variances 1 and 4 are considered to meet the general intent and purpose of the Zoning By-law.

### *Driveway width for Two-Way Traffic*

Variance 3 is requested to permit a driveway for two-way traffic having a width of 5.06m, whereas the by-law requires a minimum driveway width of 6.0m for a two-way traffic driveway. The Zoning By-law's intent is to ensure that driveway width can accommodate both incoming and outgoing vehicles. The site plan indicates that most of the driveway meets the required 6.0m width, with a reduced width of 5.06m only at the northeastern portion of the site between the edge of the building and the property line. Traffic staff have reviewed the proposal and have no concerns about the reduced width, and staff

are satisfied that site functionality will not be negatively impacted. Therefore, the variance is considered to meet the general intent and purpose of the Zoning By-law.

### *Landscape Open Space*

Variance 5 is requested to permit 63% of the front yard to be landscaped open space, whereas the by-law requires a minimum 70% of the front yard to be landscaped open space. The Zoning By-law's intent in setting this minimum is to ensure sufficient green space at the front of the property and maintain a consistent and attractive streetscape in the area.

The reduction in landscaped open space is proposed to allow for a new parking lot that would add more parking spaces. These additional parking spaces would be located in the front and rear of the property and would not encroach into the required 10m buffer area. Despite the reduction in landscaping, staff do not expect a decrease in the aesthetic quality of the property or surrounding area. Additionally, since the reduced landscaped area will directly adjoin the open space on the neighboring property to the west, staff believe this will mitigate any negative impacts on adjacent properties or buildings. City staff also note that the property is located along Countryside Drive, where a future road widening is planned. At that time, the driveway will be realigned as shown in Appendix B. Variance 5 is considered to align with the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The requested variances will allow the community club to operate in compliance with zoning requirements while supporting functional site use. The variance for community club use (Variance 2) allows the continuation of community programming within the existing building, maintaining compatibility with the residential character of the area as it will not make any exterior changes to the building. The tandem parking and reduced parking requirements (Variances 1 and 4) optimize space utilization on the site and are expected to meet parking needs without impacting site accessibility or functionality, as confirmed by City Traffic Services. The reduced driveway width (Variance 3), which applies only to a small portion of the site, has been reviewed and is not expected to affect vehicle access. Additionally, the reduced landscaped open space (Variance 5) provides space for parking while retaining a consistent streetscape and minimizing impacts on neighboring properties. Overall, the variances support efficient site use and respond to both community needs and planning objectives. Conditions of approval are recommended that the applicant shall submit a Site Plan Application to ensure that a technical review of the proposed parking configuration and servicing concerns are addressed. An additional condition is provided that the applicant obtain a Building Permit within 90 days of Committee's Decision.

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

### 4. Minor in Nature

The variances are considered minor in nature as they involve adjustments that do not significantly affect the site's function, appearance, or impact on neighboring properties. The variance for the community club use formalizes an existing use without expanding the building, while the parking and driveway

width variances maintain sufficient access and parking on-site. The reduced landscaped open space remains consistent with the visual character of surrounding properties and is not anticipated to impact the natural heritage lands on the property. Subject to the recommended conditions of approval, the requested variances are not anticipated to generate adverse on-site or off-site impacts. The variances are considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Principal Planner/ Supervisor

Appendix A – Site Visit and Aerial Photographs

