



Report Committee of Adjustment

Filing Date: January 22nd, 2025
Hearing Date: February 25th, 2025

File: A-2025-0013

**Owner/
Applicant:** 2537079 ONTARIO INC.
King Consultants Inc. c/o Gursewak Singh

Address: 11499 The Gore Road

Ward: WARD 10

Contact: Marcia Razao, Planning Technician

Recommendations:

That application A-2025-0013 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 variances be approved for a temporary period of three (3) years or within an extended period of time at the discretion of the Director of Development Services;
 3. That the owner finalize site plan approval under City File SPA-2025-0023;
 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:

The subject site, referred to as 11499 The Gore Road, is located on the east side of The Gore Road and south of Mayfield Road. Applications for an Official Plan Amendment and Zoning By-law Amendment (OZS-2022-0024) were approved by Council in 2023 to permit a school and its expansion. The subject property received Site Plan Approval in 2024 (SPA-2022-0226) for the two-storey school addition. The applicant is currently requesting two variances to allow for a temporary structure for the private school to accommodate their enrolled students while permit review and construction of the approved addition takes place. The recommended conditions limit the approval for a temporary period of three years, as this structure will not be permit on the subject property.

Furthermore, the temporary schools is currently in review under SPA-2025-0023 to address visual screening along south lot line to minimize impact to adjacent residential dwellings, among other matters. The site plan will also address the removal of the temporary school building at the end of the temporary period.

Existing Zoning:

The property is zoned "Residential Rural Estate Two Special Section 3697 - (RE2-3697)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variance:

1. To allow a lot coverage of 28.5%, whereas the by-law permits a lot coverage of 25%.
2. To provide 57 parking spaces to be provided on-site for a temporary period of 5 years, whereas the by-law requires 61 parking spaces.

Current Situation:

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

The property is designated 'Estate Residential' in the Official Plan and is located within the Toronto Gore Rural Secondary Plan (Area 26). As per the Council approved City of Brampton Official Plan, the subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhoods' (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.

Variance 1 requests to allow lot coverage of 28.5% whereas the by-law permits a lot coverage of 25%. 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. Variance 2 requests a parking deficiency of 4 parking spaces. The requested variances are not considered to have significant impacts within the context of the Official Plan policies. The nature and extent of the proposed variances are considered to maintain the general intent and purpose of the Official Plan.

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

Variance 1 is requested to allow a lot coverage of 28.5%, whereas the by-law permits a lot coverage of 25%. 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 temporary structure to facilitate classes for a period no longer than 3 years. The increase in lot coverage to permit the proposed temporary structure does not create any impacts with respect to drainage, access, privacy and shadowing on adjacent dwellings. Any additional concerns will be

address during the review of SPA-2025-0023. All other aspects of the proposed dwelling comply with Zoning by-law requirements

Variance 2 is requested to provide 57 parking spaces, whereas the by-law requires 61 parking spaces. The intent of the by-law in regulating the minimum number of parking spaces on a property is to ensure there is sufficient parking provided to accommodate the uses. The applicant has provided staff with a parking justification letter which supports the reduction. Traffic planning staff have reviewed the memo and are in agreement with the finding and support the proposed reduction. There are no negative impacts to the functionality of the site as a result of the proposed parking reduction. Subject to the recommend conditions of approval, the variances maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a 3.5% increase to the total lot coverage. The variance is requested to permit an increase to the lot coverage to facilitate the proposed temporary structure as it relates to the percentage of the lot area covered by the temporary building. The increase in lot coverage is not anticipated to impact the scale of the property in a significant way or contribute to the overdevelopment of the lot. Variance 2 is requested to provide 57 parking spaces which is 4 parking spaces less than what the By-law requires. The reduced parking for this site has been justified through a parking memo provided by Traffic Engineering Ltd. on February 6th. Through a review of the application and aforementioned parking memo, staff are of the opinion that the vehicle parking for the users of the site (employees and guests) can be sufficiently accommodated with the 57 parking spaces shown on the provided site plan for the temporary period of time. Subject to the recommended conditions, the proposed variances are desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is required to facilitate the construction of a temporary structure on the subject property. The 3.5% increase is not anticipated to negatively impact the massing or scale of the development. Variance 2 is not anticipated to negatively impact the daily function and operation of the subject property or adjacent properties. The variance is not anticipated to generate significant adverse impacts on-site or off-site or limit the functionality of the site. Through the review of the parking study submitted, City Traffic Staff find that sufficient parking will be provided for both staff and visitors for the development. Subject to the recommended conditions of approval, the variances are minor in nature.

Respectfully Submitted,

Marcia Razao

Marcia Razao, Planning Technician

Appendix A

