



## Report Committee of Adjustment

**Filing Date:** January 31, 2025

**Hearing Date:** March 25, 2025

**File:** A-2025-0017

**Owner/  
Applicant:** Santhakumar Subramaniam & Santhakumar Kalanithy  
Valiuddin Mohammed (Mechways Inc.)

**Address:** 45 Turquoise Crescent

**Ward:** WARD 10

**Contact:** Courtney Sutherland, Assistant Development Planner

---

### Recommendations:

That application A-2025-0017 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the revised sketch attached to the Notice of Decision;
  2. That a Variance to permit a rear yard setback of 6.51 m to a proposed two storey addition, whereas the by-law requires a minimum rear yard setback of 7.5 m, be approved;
  3. That the amount of glazed openings on the wall facing the existing dwelling and the rear property line will be restricted based on the limiting distance as defined in the Ontario Building Code, and is required to conform to Div. B 9.10.15.4 of the Ontario Building Code;
  4. That the proposed addition and below grade entrance shall not be used to access an unregistered additional residential unit; and
  5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

## **Background:**

The applicant is proposing a two storey addition in the rear yard of the subject lands requiring a variance to permit a reduced rear yard setback.

As per the Site Plan within the Public Notice, the applicant is proposing a two-storey addition whereby the rear yard setback to the first storey of the proposed addition is 5.51 m, with the second storey being recessed back by one metre compared to the length of first storey. The requested rear yard setback of 5.51 m represents an approximate 26.7% reduction to the minimum required rear yard setback, which is not minor in the opinion of staff. Staff recommend that the first and second storeys of the proposed addition are flush with one another, with a recommendation that the rear yard setback to the proposed addition (i.e. to the first and second storeys) be 6.5 m so as to mitigate negative impacts in terms of visual massing on adjacent dwellings, as well as reductions to rear yard amenity space.

In response, the applicant submitted a revised Site Plan (Appendix B) after the issuance of public notices, increasing the rear yard setback to the proposed addition to 6.51 m, which has modified the variance accordingly. The staff report analyses the application based on the revised plans.

## **Existing Zoning:**

The property is zoned 'Residential Single Detached D Special Section 1812 (R1D-1812)', 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 6.51 m to a proposed two storey addition, whereas the by-law requires a minimum rear yard setback of 7.5 m.

## **Current Situation:**

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

The subject lands are designated 'Community Areas' (Schedule 1A – City Structure) and are designated 'Neighbourhood' (Schedule 2 - Designations) in the Brampton Plan Official Plan, and 'Low / Medium Density Residential' in the Bram East Secondary Plan (Area 41). The requested variance is not considered to have significant impacts within the context of the Official 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 requested variance seeks to facilitate a proposed two storey addition. Due to the proposed design of the addition, a variance is required to accommodate the reduced rear yard setback.

According to Sections 2.2.7 and 2.2.7.1 in the Brampton Plan Official Plan, lands designated as 'Neighbourhoods' are intended to support context-sensitive growth, as well as to foster livability in Brampton, among other policy intents.

Subject to the recommended conditions of approval, the requested variance is considered to align with the intended residential use of the subject lands within the context of the Official Plan. The requested variance, subject to the recommended conditions of approval, is also anticipated to foster context-sensitive growth and foster livability, as the existing addition provides a greater area for inhabitants, allowing for the possibility for families to grow in place.

Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

The subject lands are currently zoned 'Residential Single Detached D Special Section 1812 (R1D-1812),' according to By-law 270-2004, as amended.

Variance 1 is requested to permit a 6.51 m rear yard setback to a proposed two storey addition, whereas the by-law requires a minimum rear yard setback of 7.5 m.

The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space is provided for the rear yard amenity area for the property. In this instance, subject to the recommended conditions of approval, the proposed addition is not anticipated to have significant negative impacts in terms of rear yard amenity space, nor is it anticipated to create significant negative impacts in terms of massing on adjacent dwellings. The rear yard setback of the dwelling addition will vary from 6.51m at its narrowest point to 6.95m at its widest, following the slight angle of the property line. Engineering staff have reviewed this application, and there are no anticipated negative impacts in terms of drainage as a result of the construction of the addition.

Subject to the conditions of approval, the requested 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 applicant is requesting variance 1 to allow for the construction of a proposed two-storey addition at the rear of the dwelling. The requested variance is intended to permit a reduction in the rear yard setback to the proposed rear wall of the addition. The reduction to the rear yard setback, subject to the recommended conditions of approval, is not anticipated to create significant undesirable impacts in terms of massing on adjacent dwellings, nor is it anticipated to create significant undesirable impacts in terms of the reduction to the rear yard amenity space. The reduction to the rear yard setback, subject to the recommended conditions of approval, is anticipated to foster a balanced pattern of development on the subject lands.

Building staff have reviewed this application, and advise that the amount of glazed openings on the wall facing the existing dwelling and the rear property line will be restricted based on the limiting

distance as defined in the Ontario Building Code, and is required to conform to Div. B 9.10.15.4 of the Ontario Building Code.

Subject to the recommended conditions of approval, the proposed variance is considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance will assist in permitting a proposed two storey addition at the rear of the subject lands. The proposed reduction in the rear yard setback to the proposed two storey addition, subject to the recommended conditions of approval, is not considered to be a significant variation from the minimum requirement in the by-law, and it allows for the design and creation of the two storey addition. Due to the lot size and configuration, the proposed two storey addition does not create significant impacts in terms of rear yard amenity space, massing, nor on separation in relation to adjacent dwellings.

Subject to the recommended conditions of approval, the requested variance is deemed minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, reading "Courtney Sutherland". The signature is written in a cursive, flowing style.

Courtney Sutherland, Assistant Development Planner

## Appendix A: Site Visit Photo



Appendix B: Revised Site Plan

