



Report Committee of Adjustment

Filing Date: February 12th, 2025
Hearing Date: March 25th, 2025
File: A-2025-0020
Agent: Abhishek Rajgor (Mem Engineering Inc.)
Owner: Swaranjit Singh and Sukhbinder Kaur
Address: 34 Deloraine Dr
Ward: Ward 7
Contact: Marina Shafagh, Planner I, Development

Recommendations:

That application A-2025-0020 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That drainage on adjacent properties shall not be impacted;
 3. The amount of glazed openings on the wall facing the side yard setback 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 OBC; 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:

The property was previously subject to an approved Minor Variance Application A-2023-0338 and the scope of the application included the following:

1. To permit an interior side yard setback of 1.5 metres, whereas the by-law requires a minimum interior side yard setback of 1.8 metres.

On December 19, 2023, the Committee of Adjustment approved the application subject to conditions. The Notice of Decision and Staff Minor Variance Report are attached as an appendix A to this report. Although the constructed dwelling maintains the approved setback for interior side yards, this approval is no longer valid due to revisions made to the original proposal, specifically the enclosure of the front porch. This change to the approved building layout has also led to the need for two additional variances related to the maximum lot coverage and minimum front yard setback, as outlined below.

Existing Zoning:

The property is zoned 'Residential Semi-Detached A(1) - Special Section 100 (R2A(1)-100) and further subject to provisions of the Mature Neighborhood by-law (69-2023)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a front yard setback of 6.66m to a proposed two storey addition, whereas the by-law requires a minimum front yard setback of 7.6m.
2. To permit an interior side yard setback of 1.5 m to a proposed second storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2m to the first storey, or part thereof, plus 0.6 m for each additional storey, or part thereof.
3. To permit a lot coverage of 35.36%, 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 property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Bramalea Secondary Plan (Area 3).

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 also subject to the Older, Mature Neighbourhoods Official Plan Policies.

The subject property respects the designated land use, and it generally complies with the standard policies for mature neighborhoods. The requested variances result from the enclosure of the front porch and are not expected to significantly impact the Official Plan policies. With the recommended conditions of approval, the requested 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 permit a front yard setback of 6.66 m for a proposed two-storey addition, whereas the by-law requires a minimum front yard setback of 7.6 m. Variance 2 is requested to permit an interior side yard setback of 1.5 m for a proposed second-storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2 m for the first storey, or part thereof, plus 0.6 m for each additional storey, or part thereof.

The intent of the minimum front yard and side yard setback provisions is to ensure adequate space for landscaping, access, lot drainage, and to maintain an appropriate streetscape. The reduction in the front yard and interior side yard setbacks results from the enclosure of the front porch and its integration into the interior of the dwelling. Despite this change to the approved plan, the dwelling still respects the original building footprint including front yard and interior side yard setbacks, maintaining sufficient space for access, landscaping, and lot drainage, while preserving the proper streetscape. Therefore, the requested variances maintain the general intent of the front yard and interior side yard setbacks in the Zoning By-law.

Variance 3 is requested to permit a lot coverage of 35.36%, whereas the by-law permits a maximum lot coverage of 30%. The purpose of regulating lot coverage is to prevent overdevelopment of the lot. Although the front porch has been enclosed and incorporated into the interior of the building, the overall design and form of the dwelling continue to maintain a balance between built space and open space. This modification is not expected to significantly affect the overall massing or character of the dwelling.

As such, the requested variances are consistent with the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The subject dwelling generally complies with the standard policies for Mature Neighborhood Areas. The increase in maximum lot coverage and the reduction in the front yard setback are due to the enclosure of the front porch and its integration into the interior area of the dwelling. As a result of this revision, the previously approved interior side yard setbacks are no longer applicable. This change to the approved plan is not expected to negatively impact the streetscape or neighboring properties. The property still maintains adequate space for landscaping, access, and lot drainage. Therefore, the requested variances are considered desirable and appropriate for the development of the land.

4. Minor in Nature

The variances to allow increased lot coverage and reduced front yard and interior side yard setbacks result from modifications to the approved plans, specifically the enclosure of the front porch. This change is not expected to negatively impact the streetscape or the surrounding neighborhood. Additionally, the subject property maintains adequate space for landscaping, access, and lot drainage. Therefore, the requested variances are considered minor in nature.

Respectfully Submitted,

Marina Shafagh

Marina Shafagh
Planner I, Development

Appendix B

