



Report Committee of Adjustment

Filing Date: March 13, 2025

Hearing Date: April 29, 2025

File: A-2025-0030

**Owner/
Applicant:** Jaswinder Singh, Amarjeet Kaur Multani
Kevin Mendonsa

Address: 60 Enclave Trail

Ward: WARD 9

Contact: Emily Mailling, Planning Technician

Recommendations:

That application A-2025-0030 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 adversely affected;
 3. That no commercial or industrial uses shall operate from the accessory structure;
 4. That the owner shall not construct or extend a driveway to provide access to the accessory structure for the purpose of storing motor vehicles; and
 5. 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 -Special Section 2369 (R2E-x-2369)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an accessory structure having a gross floor area of 38.21 square metres, whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure; and
2. To permit an accessory structure having a maximum building height of 3.12 metres, whereas the by-law permits an accessory structure having a maximum building height of 3.0 metres.

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 Residential' in the Countryside Villages Secondary Plan (Area 48(B)). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. 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 seeks to permit an accessory structure having a gross floor area of 38.21 square metres, whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure. The intent of the by-law in regulating the maximum permitted gross floor area of accessory structures is to ensure that the property is not dominated by additional buildings and limit the provision of outdoor recreational space. The proposed accessory structure is to be located behind the semi-detached home in the rear yard. The size of the structure is not considered to detract from the outdoor amenity space.

Variance 2 seeks to permit an accessory structure having a maximum building height of 3.12 metres, whereas the by-law permits an accessory structure having a maximum building height of 3.0 metres. The intent of the by-law in regulating the permitted height of an accessory structure is to ensure that the structure does not have negative massing

impacts on adjacent properties. The variance is seeking an additional 0.12 metres for the accessory structure which is not anticipated to have negative massing impacts. The location of the structure relative to the property and surrounding site context ensures that the increase in height is not anticipated to generate adverse impacts related to privacy and shadowing and is therefore considered to maintain the general intent and purpose of the Zoning By-law. Subject to the conditions of approval, the variances are 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 two variances related to a proposed accessory structure. Given the size of the lot and rear yard, the overall size of the accessory structure is not anticipated to cause negative visual impacts or limit the overall provision of amenity space. The proposed location and size of the accessory structure is not considered to cause negative visual impacts or contribute to a significant loss of outdoor amenity space area on the property. The height for the proposed shed will be 3.12m (10.2 ft). A condition of approval is recommended that drainage on adjacent properties should not be adversely affected. Subject to the recommended conditions of approval the variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The subject lands are located within a residential area with average lot sizes. Considering the size and conditions of the property, the proposed accessory structures is not anticipated to detract outdoor amenity space or create adverse impacts on-site or off-site. The location and scale of the proposed accessory structure in relation to the surrounding land context does not generate privacy or shadowing impacts. The proposed accessory structure enhances the use of outdoor amenity space and is intended to remain accessory to the primary residential dwelling. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

EMailling

Emily Mailling, Planning Technician

Appendix A: Site Visit Photos

