



Report Committee of Adjustment

Filing Date: April 23rd, 2025

Hearing Date: May 27th, 2025

File: A-2025-0039

**Owner/
Applicant:** Nirmala Thilak & Thilak Krishamoorthy
Mechways Inc.

Address: 20 Fern Street

Ward: WARD 3

Contact: Marcia Razao, Planner I

Recommendations:

That application A-2025-0039 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 the applicant obtain a Custom House Architectural Control approval prior to the submission of a building permit application;
 3. That the applicant submits a tree inventory and preservation plan and report as part of the Custom Home application review to the satisfaction of Open Space Development staff;
 4. That the applicant contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required;
 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 Single Detached B Special Section (R1A-3057)', according to By-law 270-2004, as amended and is subject to the Mature Neighbourhood Area policies which has

additional standards to ensure that proposed residential additions and replacement dwellings within older mature neighbourhoods are compatible with the existing character of the surrounding area.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a front yard setback of 6.01m to a proposed two storey addition, whereas the by-law requires no part of any dwelling or accessory building be erected or places at a distance less than 8 metres from any lot line abutting a street.
2. To permit a lot coverage of 35.30%, 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 2006 Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). 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 dwelling is also located within a Mature Neighbourhood. 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. The requested variances are not considered to have significant impacts within the context of the Official Plan policies.

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

Variance 1 is requested to permit a front yard setback of 6.01m to a proposed two storey addition, whereas the by-law requires no part of any dwelling or accessory building be erected or places at a distance less than 8 metres from any lot line abutting a street. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area. The requested setback is to accommodate a residential addition on the property, applying only to a portion of the dwelling's garage, while the remaining portion of the dwelling much like many other dwellings on the same street fall just under the with setback requirements. Despite the reduced setback, the addition is not anticipated to adversely impact the visual massing or shadowing on adjacent properties. Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit a lot coverage of 35.30%, whereas the by-law permits a maximum lot coverage of 30%. The general intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate to the size of the property and does not detract from the provision of open space. The owner is proposing to add an addition to the existing one-storey detached residential dwelling on the property. The 5.30% increase in lot coverage is not anticipated to detract from the provision of outdoor amenity area on the property. Given the size of the lot and the extent of the proposed the proposed dwelling, the increase in lot coverage is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to facilitate the construction of an addition on the existing dwelling on the subject property. The variances are to permit a minor decrease to the front yard setback to the proposed garage and lot coverage. The reduced front yard setback is not anticipated to significantly contribute to undesirable visual massing or shadowing impacts. The increase in lot coverage is not anticipated to impact the scale of the dwelling in a significant way or contribute to the overdevelopment of the lot. Furthermore, sufficient space will be maintained for outdoor amenity area on the property.

Conditions of approval are recommended that the applicant/owner submit a Custom Home Application for Architectural Control; the owner is advised a Tree Inventory and Protection Plan will be required for review as part of the Custom Home Application process. A further condition of approval is provided that the applicant/owner to contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required. The variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances to permit increases to the proposed building lot coverage and reduced front yard setback are requested to facilitate the proposed development of a new residential addition dwelling on the property. The reduced front yard setback of 1.99 metres applies to a small portion of the dwelling and is not anticipated to significantly impact shadowing or contribute to a massing that imposes onto adjacent properties. The proposed front yard setback is not considered to be a significant deviation from the minimum requirements of the by-law and will facilitate the overall design of the building. The requested lot coverage is a minor increase from what the by-law permits. The variance for added lot coverage represents an increase of 5.30% from the existing building and is not considered to contribute to the over development of the property. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

Marcia Razao

Marcia Razao, Planner I

Appendix A: Site Photos

