



Report Committee of Adjustment

Filing Date: April 22, 2025

Hearing Date: May 27, 2025

File: A-2025-0042

**Owner/
Applicant:** Simarjit Singh Sandhu
Gabriel Frasson

Address: 10 Grafton Crescent

Ward: Ward 10

Contact: Courtney Sutherland, Assistant Development Planner

Recommendations:

That application A-2025-0042 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 provides the required \$660.00 Toronto and Region Conservation Authority (TRCA) review fee as per the letter dated May 16, 2025; and
 3. 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 property has undergone the Custom Home Application process through application CH-2023-0014. The minor variance application seeks to facilitate a proposed oversized accessory structure and detached garage.

Existing Zoning:

The property is zoned 'Residential Rural Estate 2 Special Section 1500 (RE2-1500)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a door height of 2.92 metres to accessory buildings (cabana), whereas the by-law permits a maximum door height of 2.4 metres to accessory buildings;
2. To permit an accessory structure (cabana) having a height of 5.71 metres, whereas the by-law permits an accessory structure having a maximum height of 3.5 metres;
3. To permit an accessory structure (cabana) having a gross floor area of 57.40 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres, for an individual accessory structure;
4. To permit a garage door height of 2.92 metres, whereas the by-law permits a maximum garage door height of 2.4 metres;
5. To permit a detached garage having a gross floor area of 58.19 square metres, whereas the by-law permits a detached garage having a maximum gross floor area of 48 square metres;
6. To permit a detached garage having a height of 5.71 metres, whereas the by-law permits a detached garage with a maximum height of 3.5 metres; and
7. To permit a detached garage on a lot having an attached garage, whereas the by-law requires only one detached private garage, or carport shall be permitted on each lot, and only if there is no attached private garage or carport already on the lot.

Current Situation:

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

The property is designated 'Estate Residential' (Schedule A – General Land Use Designations) in the 2006 Official Plan and is within the Toronto Gore Rural Estate Secondary Plan (Area 26). The property is designated 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhoods' (Schedule 2 – Designations) in the 2024 Brampton Plan Official Plan. The property is also located within a Mature Neighbourhood. 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.

According to Section 2.2.7.4 of the 2024 Official Plan, Mature Neighbourhood policies intend that new detached dwellings, detached replacement dwellings or building additions to existing dwellings are to be compatible with the general size, type and style of dwellings in the immediate neighbourhood to maintain the established character. Massing, scale and height of the dwellings or building additions should be consistent with the host neighbourhood. Additional policy intents state that detached dwellings should not dominate the lot, and the separation of dwellings shall be generally consistent with

existing separation of dwellings in the neighbourhood. The requested variances, although they do not anticipate creation of a new dwelling, are considered to be in alignment with the general intent of the Official Plan Mature Neighbourhood policies, and are not anticipated to have significant impacts within the context of the Official Plan in this regard.

According to Section 4.2.3.1 of the 2006 Official Plan, lands designated 'Estate Residential' shall include (non-exhaustively) single detached dwellings and accessory buildings. Section 4.2.3 of the 2006 Official Plan states that the general policy intent of Estate Residential lands shall have a residential development form that is low density and low intensity, characterized by large, individual lots. Therefore, the requested variances are considered to be in alignment with the Official Plan policies, and are not anticipated to have significant impacts within the context of the Official Plan in this regard.

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

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

Variance 1 is requested to permit a door height of 2.92 metres to accessory buildings (cabana), whereas the by-law permits a maximum door height of 2.4 metres to accessory buildings. The intent of the by-law in regulating the maximum permitted door height for an accessory structure is to ensure that the door is not a primary focus of the accessory structure's design, and to ensure that the accessory structure is used for purposes accessory to the primary residential dwelling. Due to the proposed size of the accessory structure, it is not anticipated that the requested increase in door height will have negative impacts on the overall design of the accessory structure. As well, due to the requested size of the accessory structure, in addition to the proposed presence of a pool, it is anticipated that the accessory structure will indeed be used for purposes accessory to the primary residential dwelling.

Variance 2 is requested to permit an accessory structure (cabana) having a height of 5.71 metres, whereas the by-law permits an accessory structure having a maximum height of 3.5 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 requested increase in accessory structure height is not anticipated to have negative impacts on massing on adjacent dwellings due to the large lot sizes, dwelling sizes, and accessory structure sized within the area. Additionally, the requested increase in height of the accessory structure is compatible with the design and relative size of the existing dwelling.

Variance 3 is requested to permit an accessory structure (cabana) having a gross floor area of 57.40 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres, for an individual accessory structure. The intent of the by-law in regulating the maximum permitted floor area of an accessory structure is to ensure that the size of the structure does not negatively impact the provision of outdoor amenity space for the property. The requested increase in accessory structure gross floor area is not anticipated to have negative impacts on the provision of outdoor amenity space for the property due to the property's large lot size.

Variance 4 is requested to permit a garage door height of 2.92 metres, whereas the by-law permits a maximum garage door height of 2.4 metres. The intent of the by-law in regulating the maximum

permitted garage door height for a residential dwelling is to ensure that the garage is not a primary focus of the dwelling's design, and to ensure that the garage is used for residential purposes. In this instance, when considering the relative size and design of the existing dwelling, the requested increase in garage door height is considered appropriate and is not anticipated to have been designed with the intent of being used for non-residential purposes. The applicant has confirmed that the detached garage is intended to be used for winter storage of lawn furniture, a garden tractor and landscaping tools.

Variance 5 is requested to permit a detached garage having a gross floor area of 58.19 square metres, whereas the by-law permits a detached garage having a maximum gross floor area of 48 square metres. The intent of the by-law in regulating the maximum permitted gross floor area of a detached garage is to ensure that the size of the garage does not negatively impact the provision of outdoor amenity space for the property, as well as to ensure that the garage is not a primary focus of the lot. The requested increase in the gross floor area of the detached garage is not anticipated to have negative impacts on the provision of outdoor amenity space for the property due to the property's large lot size. The requested increase in gross floor area of the garage is also not anticipated to make the garage a primary focus of the lot, as the garage is proposed to be located toward the rear side of the dwelling.

Variance 6 is requested to permit a detached garage having a height of 5.71 metres, whereas the by-law permits a detached garage with a maximum height of 3.5 metres. The intent of the by-law in regulating the maximum permitted height for a detached garage is to ensure that the garage is not larger than the principal dwelling. The requested increase in the garage height is not anticipated to facilitate the design of a garage that is larger than the principal dwelling; rather, the requested increase in garage height is anticipated to be compatible with and proportional to the existing principal dwelling. The requested variance is not anticipated to have negative impacts on massing on adjacent dwellings due to the large lot sizes, dwelling size, and accessory structure sizes within the area.

Variance 7 is requested to permit a detached garage on a lot having an attached garage, whereas the by-law requires only one detached private garage, or carport shall be permitted on each lot, and only if there is no attached private garage or carport already on the lot. The intent of the by-law in regulating the presence of a detached garage if there is an existing attached garage or carport already on the lot is to ensure that the garage is not a primary focus of the dwelling's design, and to ensure that the garage is used for residential purposes. The requested detached garage is not anticipated to have negative visual impacts on the property and neighbourhood due to fact that the garage is proposed to be situated to the rear of the existing dwelling at the side rather than the front of the dwelling. The large size of the subject property's lot and adjacent lots, as well as the size of the proposed detached garage relative to the size of the subject property's lot and the size of the existing dwelling, and relative to the size of adjacent lots and adjacent dwellings also mitigate against negative visual impacts. The applicant has confirmed that the proposed detached garage is intended to be used for residential use, specifically for winter storage of lawn furniture, a garden tractor and landscaping tools.

Subject to the recommended conditions of approval, the requested 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 variances 1, 2, and 3 to facilitate the creation of an accessory structure (cabana) with a door height of 2.92 metres, a height of 5.71 metres, and a gross floor area of 57.40 square metres. Variances 2 and 3 are not anticipated to have negative impacts in terms of massing on adjacent dwellings due to the large lot size of the property and within the context of the large lot sizes in the area. The requested increase in height and gross floor area for the accessory structure will facilitate the design of an accessory structure that is proportional to the size and height of the primary residential dwelling. Variance 1 is not anticipated to have negative impacts on the overall design of the accessory structure, and is appropriate from a design perspective so that the door is proportional to the size and height of the accessory structure.

The applicant is requesting variances 4, 5, 6, and 7 to facilitate the creation of a detached garage with a door height of 2.92 metres, a gross floor area of 58.19 square metres, and a height of 5.71 metres on a lot where there is already an attached private garage. Variance 4 is not anticipated to have negative impacts on the overall design of the accessory structure, and is appropriate from a design perspective so that the door is proportional to the size and height of the accessory structure. Variances 5 and 6 are not anticipated to have negative impacts in terms of massing on adjacent dwellings due to the large lot size of the property and within the context of the large lot size in the area. The requested increase in height and gross floor area for the accessory structure will facilitate the design of an accessory structure that is proportional to the size and height of the primary residential dwelling. Variance 7 is intended to allow for the winter storage of lawn furniture, a garden tractor and landscaping tools. The presence of a detached garage while there is already an attached garage on the lot is not anticipated to have negative visual impacts on the property nor the surrounding neighbourhood, and is anticipated to generally be aligned with the character of the neighbourhood.

The Toronto and Region Conservation Authority (TRCA) has reviewed this application, and has no objection to the application subject to the recommended condition of approval that the applicant provides TRCA's Minor Variance review fee.

Overall, the proposed general size and type of the detached garage and accessory structure maintain the established character of the neighbourhood. The massing, scale, and height of the proposed detached garage and accessory structure are consistent with the host neighbourhood. The proposed detached garage and accessory structure do not dominate the lot size, and therefore the separation of these structures are generally consistent with existing separation of dwellings and structures in the neighbourhood.

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

4. Minor in Nature

The requested variances are intended to allow for an accessory structure (cabana) with an increased height, door height, and gross floor area, as well as to allow for a detached garage with an increased height, door height, and gross floor area on a lot where there is already an attached private garage. The requested variances are not anticipated to have significant impacts in terms of massing or visual impacts in relation to adjacent residential dwellings, nor on outdoor amenity space, due to the proposed location of the buildings, the large lot size of the subject property as well as the large lot sizes within

the area. The accessory structure, in relation to the primary residential dwelling, is anticipated to indeed be accessory to the primary residential dwelling, and within the context of the size and height of the primary residential dwelling and the lot size, the proposed design of the detached garage and accessory structure are appropriate.

Subject to the recommended conditions of approval, the requested variances are deemed minor in nature.

Respectfully Submitted,

A handwritten signature in cursive script, reading "C Sutherland". The signature is written in black ink and is positioned above the printed name.

Courtney Sutherland, Assistant Development Planner

Appendix A: Existing Site Conditions

