

Filing Date: September 27, 2022

Hearing Date: October 25, 2022

File: B-2022-0014, A-2022-0320 & A-2022-0321

**Owner/
Applicant:** MEHNA AUTO SALES INC.

Address: 93 John Street

Ward: WARD 4

Contact: Angelo Ambrico, Principal Planner / Supervisor

Recommendations:

That applications **B-2022-0014, A-2022-0320, & A-2022-0321** be deferred no later than the last hearing of January 2023.

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.063 hectares (1.55 acres). The proposed severed lot has a frontage of approximately 7.93 metres (26 feet), a depth of approximately 39.73 metres (130.35 feet) and an area of approximately 0.031 hectares (0.077 acres). The effect of the application is to create two individual lots from the existing lot for future residential development of a new single detached dwelling on each proposed lot.

Requested Variances:

A-2022-0320

The applicant is requesting the following variance(s) for construction of a new single detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

1. To permit a minimum lot area of 310 square metres whereas the by-law requires a minimum lot area of 450 square metres;
2. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;
3. To permit an interior side yard setback of 1.2 metres to the second storey whereas the by-law requires a minimum of 1.8 metres to the second storey;

4. To permit an interior side yard setback of 1.2 metres to the third storey whereas the by-law requires a minimum of 2.4 metres to the third storey;
5. To permit a building height of 10.6 metres whereas the by-law permits a maximum building height of 8.5 metres.

A-2022-0321

The applicant is requesting the following variance(s) for construction of a new single detached dwelling in conjunction with the proposed retained lot under Consent Application B-2022-0014:

1. To permit a minimum lot area of 310 square metres whereas the by-law requires a minimum lot area of 450 square metres;
2. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;
3. To permit an interior side yard setback of 1.2 metres to the second storey whereas the by-law requires a minimum of 1.8 metres to the second storey;
4. To permit an interior side yard setback of 1.2 metres to the third storey whereas the by-law requires a minimum of 2.4 metres to the third storey;
5. To permit a building height of 10.6 metres whereas the by-law permits a maximum building height of 8.5 metres.

Background:

Concurrent Consent application (B-2022-0014) and Minor Variance applications (A-2022-0320 and A-2022-0321) have been submitted to facilitate the severance of the subject property. Both the severed and retained lots result in property size and dimensions which do not conform to the minimum Zoning By-law requirements. The purpose of the applications is to create two individual lots from the existing lot for future residential development of a new single detached dwelling on each proposed lot.

- **Official Plan:** The subject property is designated '*Central Area*' in the Official Plan;
- **Secondary Plan:** The subject property is designated '*Medium Density*' within the Downtown Brampton Secondary Plan (Area 7);
- **Zoning By-law:** The subject property is zoned '*Residential Single Detached B (R1B)*' according to By-Law 270-2004, as amended.

Current Situation:

Staff have reviewed the submission materials provided by the applicant and have determined that additional information is required prior to making a recommendation to the Committee of Adjustment. It is advised that the proposal and associated concept plan be revised by the applicant to bring forward a proposal that is better aligned with the Central Area and Medium Density designations of the Official Plan and Downtown Brampton Secondary Plan policies.

Traffic Services will also require the gratuitous conveyance of land to the City of Brampton to meet the John Street right-of-way requirements. This would further result in additional variances to reduce the lot area and front yard setbacks given the new property limits. The variances will need to be updated and therefore, revised public notices will be needed. Revisions to the plans will be required in order for staff to evaluate the proposal.

While 93 John Street is neither listed on the Municipal Register nor designated under the Ontario Heritage Act, it does reside on the City of Brampton's internal Properties of Interest list. It is also situated in a Mature Neighbourhood Area as defined in City By-laws. There are properties adjacent to this house which are either listed or on Property of Interest List. Therefore, City of Brampton Heritage Staff respectfully request that a Heritage Impact Assessment be completed to review the Cultural Heritage Value or Interest of the property at 93 John Street.

A property does not have to be designated or listed in a heritage register to be subject to a Heritage Impact Assessment. Any property that may exhibit cultural heritage value or interest or 'heritage potential' as determined by City heritage staff will be subject to an appropriate level of heritage due diligence and may require an HIA. It is recommended that the applicant conduct a CHER (Cultural Heritage Evaluation Report) to determine the cultural heritage value of the property at 93 John St. Based on the results of this CHER, the scope of Heritage Impact Assessment can be determined to address issues including building design, adjacency and addressing design integration within the character of this neighbourhood.

City staff have discussed the above noted matters with the applicant which will need to be addressed through a revised proposal and concept plan. Therefore, staff recommend a flexible deferral of the applications so that the applicant can amend the applications to the satisfaction of City staff.

Respectfully Submitted,

Angelo Ambrico

Angelo Ambrico, Principal Planner/Supervisor