



## Report Committee of Adjustment

**Filing Date:** November 25, 2022

**Hearing Date:** January 3, 2023

**File:** A-2022-0379

**Owner/  
Applicant:** Karampreet Gill

**Address:** 6 Keystone Drive

**Ward:** WARD 3

**Contact:** Rajvi Patel, Assistant Development Planner

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### **Recommendations:**

That application A-2022-0379 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 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 (R1D-3146)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variance(s):

1. To permit a maximum lot coverage of 35.8% whereas the by-law permits a maximum lot coverage of 30%;
2. To permit an interior side yard setback of 0.7m (2.30 ft.) on the east and 1.5m (4.92 ft.) on the west to the second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (8.91 ft.) to the second storey.

## **Current Situation:**

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

The subject lands are designated 'Residential' in the Official Plan and 'High Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

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

The subject lands are currently zoned 'Residential Single Detached D,' Special Section 3146 (R1D-3146), according to By-law 270-2004, as amended.

Variance 1 is requesting to permit a maximum lot coverage of 35.8% 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.

A proposed total coverage of 86.20 sq. m (927.85 sq. ft.) is requested to facilitate the existing dwelling (80.5 sq. m) and proposed second storey addition (5.7 sq. m) above the existing garage and porch and balcony addition. This will result in a lot coverage that is 5.8% greater than what the by-law permits. Sufficient area will be maintained for open space and landscaping on the lot. Given the size of the lot and the extent of the proposed extension of the dwelling, the increase in lot coverage is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requesting to permit an interior side yard setback of 0.7m (2.30 ft) on the east and 1.5m (4.92 ft) on the west to the second storey addition, whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft) to the second storey. The intent of the by-law in requiring a minimum interior side yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard.

The reduction in the interior side yard setbacks is not anticipated to negatively impact the provision of access to the rear yard as a clear path of travel is maintained to access the rear yard. Moreover, adequate permeable landscaping is provided on site to ensure that drainage is not negatively impacted. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

### **3. Desirable for the Appropriate Development of the Land**

The requested variances are to facilitate a proposed second storey and porch extension on the subject lands. Variance 1 is requested to permit a 5.8% increase to the total lot coverage and is needed to permit the second storey and porch extension. The proposed addition maintains an appropriate massing and scalability with the subject property and neighbouring homes. Variance 2 is to permit reductions to the interior side yard setbacks and is not anticipated to result in negative

impacts to the overall residential function of the dwelling and property as adequate access and drainage is maintained to the rear yard of the subject property. Given the location and context of the site, staff have no concerns with the requested variance and are in support of the overall proposal. The variances are deemed desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variances are requested to facilitate the extension of the second storey above the existing garage and a porch extension to the existing house. The second storey extension is in keeping with the general character of the neighbourhood as many properties in this neighbourhood are two storey dwellings. The proposal satisfies all other requirements of the Zoning By-law and is not perceived to cause any adverse impacts to the property or adjacent properties, nor does it alter its residential use. The increased lot coverage and reduced interior side yard setbacks are minor and appropriate for the subject lands.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Assistant Development Planner