



Report Committee of Adjustment

Filing Date: December 13, 2022

Hearing Date: January 24, 2023

File: A-2022-0403

**Owner/
Applicant:** MOHINDER, MANDEEP & SURINDER PHARWAHA/HUIS DESIGN STUDIO LTD.

Address: 1 Bowman Avenue

Ward: WARD 10

Contact: Chinoye Sunny, Planner I

Recommendations:

That application A-2022-0403 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; and
 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:

The applicant is requesting one (1) Minor Variance for an increased building height for a proposed new dwelling.

Existing Zoning:

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

Requested Variances:

The applicants are requesting the following variance(s):

1. To permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a building height of 10.6m (34.78 ft.);

Current Situation:

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

The subject property is designated 'Estate Residential' in the Official Plan. The subject property is also located in the Toronto Gore Rural Estate Secondary Plan (Area 26) which is currently undergoing a policy review. The nature and extent of the requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, 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

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

The Minor Variance requested is to permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a building height of 10.6m (34.78 ft.). The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. There is currently an existing dwelling, detached garage, greenhouse, and shed on the property. The proposal is to demolish the existing dwelling, greenhouse and shed and rebuild a custom home on the property. The existing detached garage is intended to remain on the property. The subject property is located within the Estate Residential area, the Brampton Official Plan describes this zoning type as, "low density form of residential development, characterized by large individual lots". Despite the increased height, the proposed new dwelling is significantly setback from neighbouring lots and the street line. The increased building height is not anticipated to negatively impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. As such, the general intent and purpose of the Zoning By-law is maintained.

3. Desirable for the Appropriate Development of the Land

The variance requested is to permit an increased building height for a proposed new dwelling. The subject property is located within the Rural Estate area of the City. Lot sizes are larger in this area, which constitute to larger dwellings in the area. The subject property lot size is large and is able to satisfactorily accommodate a proposed dwelling height of 13.15m without causing significant massing issues on neighbouring properties. Surrounding lots in the area are not anticipated to be negatively impacted by the proposed dwelling. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance requested is to permit an increased building height for a proposed new dwelling. The requested variance is not considered to impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chinoye Sunny", with a long horizontal stroke extending to the right.

Chinoye Sunny, Planner I