

Planning Justification Report

Committee of Adjustment Minor Variance for

Jayant and Hiral Patel

8414 Creditview Road, Brampton Ontario

A-2023-0011

Attention: Committee of Adjustment

Date: December 21, 2022 (Revised Feb. 8 2023)

INTRODUCTION

Empire Design Company has been retained by the owners of 8414 Creditview Road to provide a planning justification report for the proposal of a single detached dwelling on a parcel of land currently zoned as an agricultural and floodplain use under section 46.1 depicted as 'A' and 'F'.

Our proposal is for a new single detached dwelling which requires variances for the following:

- Insufficient lot area
- Insufficient lot frontage
- Insufficient side yard setback
- Insufficient side yard setback
- Insufficient rear yard setback to floodplain zone boundary
- Insufficient rear yard setback to a cantilevered balcony
- To allow two existing sheds to remain in the floodplain zone lands
- Insufficient front yard soft landscaping

The requested variances are close in comparison with the neighboring properties from a streetscape view and in comparison to the neighboring properties adjacent to ours. The existing properties at 8442 and 8450 Creditview Road have similar side yard setbacks compared to ours if not more extremely deficient than our proposal under the same zoning requirements. The property at 8256 Creditview Road has previously been approved with more extreme deficiencies than our proposal.

The lot area and lot frontage are existing and uncontrollable for our property. These variances should be considered for approval. The existing dwelling proposed for demolition currently exists with a 5.46M side yard setback and a 5.32M side yard setback. These distances are not much more than what we are proposing. The adjacent property at 8406 Creditview Road has been approved with side yard setbacks of 5.5M to side lot line and 1.6M to floodplain zone boundary.

Considering this land will never be farmed, we feel that the allowed use of a residential dwelling is more appropriate when comparing to the subdivision to the north on Porter Creek Hollow, Hickory Ridge Court, Lloyd Sanderson Drive and Vernosa Drive, as well as all neighboring properties along Creditview Road. The proposed lands along Creditview Road are typically considered as Estate Lots.

Based on the four tests of the Planning Act s45, testing for a minor variance, we have evaluated the requested variances against these tests, as follows:

1. Is the variance minor in nature?

The proposed variances will not increase the massing on the property where it is considered as over-development within the planning and zoning requirements on this lot. The proposed side yard setbacks have similarities to other neighboring structures within the vicinity as well as the existing dwelling currently existing on the property.

Based on this, we feel these variances can be considered minor in nature.

2. Does the variance maintain the intent and purpose of the Official Plan?

Our proposal will be compatible and complimentary with respect to size, width and length in relation to the lot size and will not adversely affect the designation of the official plan. This proposal in scale, height, massing and architectural character will resemble similar homes within the district. We feel that our proposal does not impact the streetscape but blends into the character of the neighborhood.

We are in the opinion that this variance meets the intent and purpose of the Official Plan.

3. Does the variance meet the intent and purpose of the Zoning Bylaw?

The side yard setbacks closely meet the requirements of the zoning bylaw in comparison to previously approved variance applications. The side yard setbacks and rear yard setbacks proposed are similar to the surrounding district.

Based on this, we feel that our proposal still maintains the general intent and purpose of the Zoning Bylaw.

4. Is the variance desirable for the appropriate development of the lands?

Our proposal of a two-storey detached dwelling will have a low pitched roof slope whereas it will not deter any natural light upon the neighboring properties. The two-storey portion is set further back from the street line whereas it does not depict itself as over-massing or over development. The current status of this portion of Creditview Road are mostly custom built two-storey homes ranging between 4000 sq.ft. to 8000 sq.ft. or more.

Therefore, we believe this variance is currently desirable for the appropriate development of the lands within this district.

PROPERTY LOCATION

The subject land is located within the districts of Eldorado Park, Springbrook, Huttonville and Lion's Head Golf course.

SURROUNDING LAND USES

All the lands within this property district are all urban and rural residential with single family residential dwellings and Credit Valley Conservation lands.

PROPOSAL

New single detached dwelling.

TECHNICAL DATA

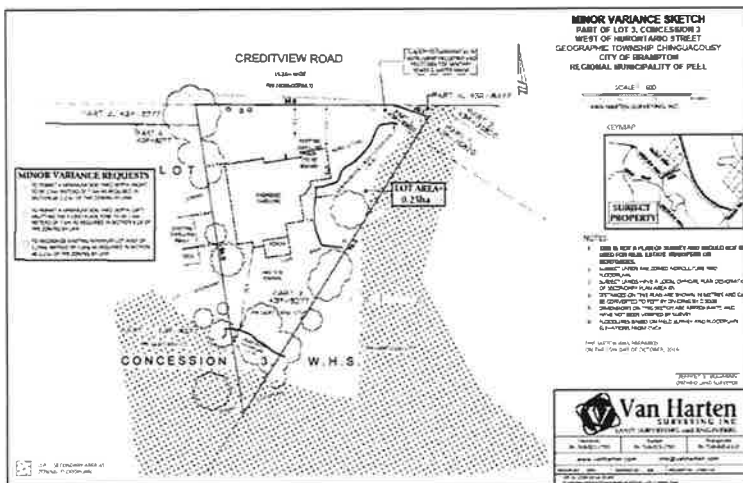
The subject property is zoned [A] under section 46.1 and [F] under section 44.2 under the current zoning bylaw 253-2021.

CONCLUSIONS

The proposal of this two-storey dwelling is in keeping with the official plan with respect to the existing neighborhood and context. Therefore, we feel that we have met the four tests of the Planning Act RSO 1990.

IMAGES: - Depicted below by address.

8406 Creditview Road:



8256 Creditview Road:

A18-081 **8256 CREDITVIEW ROAD BRAMPTON INC.** **PT. OF LOT 2, CONC. 8 WHS.**
8256 CREDITVIEW ROAD
WARD 4

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 1.5m (4.92 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft.);
2. To permit a front yard setback of 5.5m (18.04 ft.) whereas the by-law requires a minimum front yard setback of 12.0m (39.37 ft.);
3. To permit a rear yard setback of 0.0m to a Floodplain Zone whereas the by-law requires a minimum rear yard setback of 15.0m (49.21 ft.);
4. To permit a lot area of 0.05 hectares (0.12 acres) for non-agricultural purposes whereas the by-law requires a minimum lot area of 0.4 hectares (0.99 acres) for non-agricultural purposes;
5. To permit a portion of the dwelling (cantilevered terrace, main floor and roof) to be located within a Floodplain Zone whereas the by-law does not permit the dwelling to be located within the Floodplain Zone;
6. To permit a maximum garage door height of 3.7m (12.14 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.).

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SUMMARY

We feel that all efforts have been taken into account to allow our proposal to proceed without adversely affecting the neighboring properties and also meeting similar characteristics within the neighborhood.

We are hoping the committee finds this application minor and favorable and grants permission for approval to proceed with this development.

Peter Vozikas
Empire Design Company
416-500-8989

(Agent for owner's)

