



## Report Committee of Adjustment

**Filing Date:** January 13, 2023  
**Hearing Date:** February 14, 2023

**File:** A-2023-0015

**Owner/  
Applicant:** JOHN CURIC AND MARIA ELIZABETH ROCHA / SHANE EDWARDS

**Address:** 22 Ferndale Crescent

**Ward:** WARD 3

**Contact:** Megan Fernandes, Planning Technician

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### **Recommendations:**

That application A-2023-0015 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 B (R1B)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a front yard setback of 5.07 metres (16.63 feet) whereas the by-law requires a minimum front yard setback if 6.0 metres (19.68 feet);
2. To permit a lot coverage of 33.47% whereas the by-law permits a maximum lot coverage of 30%.

## **Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

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

The first variance is requested to permit a front yard setback of 5.07 metres (16.63 feet) whereas the by-law permits a minimum front yard setback of 6 metres (19.68 feet). The intent of the By-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area.

The majority of the front wall of the proposed dwelling including the garage will be sufficiently setback 6.0 metres (19.68 feet) from the front lot line. In order to achieve some architectural articulation along the north western portion of the front wall, the applicant is requesting a 0.97 metre (3.18 feet) reduction to the front yard setback. Given the extent and location of the requested setback, the reduction is not anticipated to significantly impact the landscaped open space or parking in the front yard. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit a lot coverage of 33.47% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the dwelling is appropriate relative to the size of the property and does not detract from the provision of outdoor amenity area on the property.

A proposed total coverage of 201.76 square metres (2171.72 square feet) is requested to facilitate the overall development of the addition on the 602.85 square metre (6489.023square feet) lot. This represents a 3.47% increase from what the by-law permits. Due to the siting of the overall size of the property, the increase in lot coverage is not anticipated to limit or detract from the provision of outdoor amenity area. While a minor front yard setback reduction is requested, sufficient space will be maintained which ensures access to all portions of the property. Further, it is staff's opinion that the increased lot coverage is minor and not considered to contribute to the overdevelopment of the lot. 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 first variance is requested to accommodate a minor decrease to the front yard setback for a portion of the wall. A 0.97 metre (3.18 feet) reduction to the front yard setback is needed in part to create articulation in architecture of the dwelling's front wall. The resulting setback is not anticipated to negatively impact the provision of landscaped open space in the front yard or limit parking.

The second variance is requested to permit a slight increase to the lot coverage to facilitate the addition on the dwelling. Allowing a 3.47% increase to the lot coverage is not anticipated to further generate

adverse on-site or off-site impacts. Sufficient space will be maintained for outdoor amenity area on the property and the increase is not considered to contribute to an overdevelopment of the lot.

4. Minor in Nature

The variances to allow the proposed lot coverage and building setbacks are requested to facilitate a new two-storey dwelling. The variance for added lot coverage represents an increase of 3.47% and is not considered to contribute to an overdevelopment of the property. The proposed front yard setback is not considered to be a significant deviation from the minimum by-law requirements and will facilitate the overall design of the building. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,  
*Megan Fernandes*  
Megan Fernandes, Planning Technician

**Appendix 1 – Existing Site Conditions**

