



Report Committee of Adjustment

Filing Date: June 2, 2023
Hearing Date: July 11, 2023

File: A-2023-0181

**Owner/
Applicant:** VIJAYA BHASKAR REDDY PUDURI

Address: 4 Gatesgill Street

Ward: WARD 5

Contact: Rajvi Patel, Assistant Development Planner

Recommendations:

That application A-2023-0181 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 the applicant obtain a Custom House Architectural Control approval prior to the submission of a building permit application;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached C (R1C-376)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot coverage of 37.6% whereas the by-law permits a maximum lot coverage of 30%;

2. To permit an interior side yard setback of 1.58m (5.18 ft.) to a proposed second storey addition, whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within 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 property is currently zoned 'Residential Single Detached C,' Special Section 376 (R1C-376), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a lot coverage of 37.6% 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.

A proposed total coverage of 143 sq. m (1539.24 sq. ft.) is requested to facilitate the overall development of the proposed addition on the 380.16 sq. m (4092.01 sq. ft.) lot. This represents a 7.6% increase from what the by-law permits. The existing lot coverage of the existing dwelling is 35.62% which is considered legal non-conforming. The difference in lot coverage from the existing dwelling to the proposed addition represents a 1.99% increase. Despite this increase in lot coverage, 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 addition 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 requested to permit an interior side yard setback of 1.58m (5.18 ft.) to a proposed 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 between dwellings and that the massing of the second storey does not impose upon the adjacent property.

The applicant is proposing to construct a one storey addition and second storey addition above the proposed reconstructed garage at the front of the dwelling. A 0.22m (0.72 ft.) reduction to the second storey side yard setback is requested from what the by-law permits. The additions will be located along the northern wall of the dwelling and will maintain all other requirements set out in the Zoning By-law such as the height and size. Despite the reduced side yard setback, the additions are not anticipated to adversely impact the visual massing or shadowing on adjacent properties as it maintains a similar building footprint of the previous detached garage on the subject lands. Variance 2 is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 and 2 are requested to facilitate the construction of a second storey addition on the northern wall of the dwelling. The variances are to permit a minor decrease to the side yard setback to the second storey and lot coverage. The proposed addition replaces a previously demolished garage and proposes a one storey and second storey addition. The reduced second storey setback is not anticipated to significantly contribute to undesirable visual massing or shadowing impacts as the proposed extension will maintain the general character of the neighbourhood. The increase in lot coverage is not anticipated to impact the scale of the dwelling in a significant way or contribute to the overdevelopment of the lot. The configuration of the proposed dwelling is considered to be appropriate and compatible with the subject property and neighbouring homes. Furthermore, sufficient space will be maintained for outdoor amenity area on the property. Variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances to permit increases to the proposed building lot coverage and reduced side yard setback are requested to facilitate the one storey addition, second storey addition above the reconstructed garage. The reduced rear yard setback of 0.22m (0.72 ft.) is not anticipated to significantly impact shadowing or contribute to a massing that imposes onto adjacent properties. The proposed side yard setback is not considered to be a significant deviation from the minimum requirements of the by-law and will facilitate the overall design of the building. The requested lot coverage is a minor increase from what the by-law permits. The variance for added lot coverage represents an increase of 1.99% from the existing building and is not considered to contribute to the over development of the property. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

Appendix A – Existing Site Conditions

