



Report Committee of Adjustment

Filing Date: November 28th 2022

Hearing Date: October 25th 2023

File: B-2022-0026

**Owner/
Applicant:** KULIR & NAVNEET RAO / NOBLE PRIME SOLUTIONS LTD.

Address: 33 Silktop Trail

Ward: WARD 9

Contact: Chinoye Sunny, Planner I

Recommendations:

1. That application B-2022-0026 be refused.
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Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 762.16 square metres (0.188 acres). The proposed severed lot has a frontage of approximately 13.95 metres (45.77 feet), a depth of approximately 25 metres (82.02 feet) and an area of approximately 387.25 square metres (0.096 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

Background:

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Low Density Residential 1' in the Springdale Secondary Plan (Area 2); and
- **Zoning By-law:** The subject property is zoned 'Residential Single Detached C – Section 856 (R1C-856)' according to By-Law 270-2004, as amended.

Current Situation:

The proposed consent application has been submitted to facilitate the severance of the subject property to create a new residential lot for the future development of a single detached dwelling. The subject property is located west of Torbram Road and south of Sandalwood Parkway East. The subject property is designated as 'Residential' in the City of Brampton Official Plan. This designation allows for a broad range of residential housing types within the City. The property is further designated "Low Density Residential 1" in the Springdale Secondary Plan (Area 2). The designation allows for the development of single-detached and semi-detached dwelling units. The subject property is zoned 'Residential Single Detached C – Section 856 (R1C-856)' according to By-Law 270-2004, as amended.

Staff had originally deferred this application three (3) times in the past as Traffic Services Staff have expressed concerns regarding the proposed severed lot driveway connection to the public road. There is currently an active Site Plan Approval application to build a proper cul-de-sac that could potentially impact the driveway connection for the severed lot (see Appendix 1, 2, and 3). The Applicant has since provided a revised drawing depicting the proposed cul-de-sac and the TransCanada PipeLine easement located south of the property (see Figure 1).

Based on the TransCanada PipeLine (TCPL) comments dated December 21, 2022, "no buildings or structures shall be installed anywhere on the TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way". Section 856.2.4 of the City's Zoning By-law for the R1C-856 zone indicates "no building shall be located closer than 15.0 metres to the limit of the TransCanada PipeLine right-of-way or pipeline easement". The proposed lot frontage for the severed lot is 13.95 metres. The setback requirements for a proposed dwelling to the TCPL will limit the building area for the proposed dwelling.

An associated Minor Variance application was not submitted with this Consent application. Staff do not support the proposed severance application as the future use of the severed lot will not maintain the intent of Zoning By-law. Staff have undertaken a thorough review of this proposal relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application cannot be supported from a land use perspective. Planning Staff are recommending refusal of the Consent application.

Respectfully Submitted,



Chinoye Sunny, Planner I

SCHEDULE "A"

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE
PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed land conveyance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is premature as it is unclear how a proposed dwelling can be built on the severed lot.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed land conveyance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed land conveyance is not suitable for the purposes for which it is to be subdivided as a future dwelling cannot be accommodated within the proposed new lot.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed land conveyance does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed severed lot are not appropriate as the severed lot will maintain the setback requirements to the TCPL and the proposed lot depth is 25 metres for the severed lot whereas the by-law permits a 30 metre lot depth.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	There are restrictions on the lands being subdivided as there is a TransCanada PipeLine easement directly to the south of the property and development is prohibited in close proximity to the easement.

h)	<i>The conservation of natural resources and flood control;</i>	The proposed land conveyance presents no concerns with regard to flood control and the conservation of natural resources.
i)	<i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	<i>The adequacy of school sites;</i>	The land conveyance presents no concerns with regard to the adequacy of school sites.
k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed land conveyance has no impact on matters of energy conservation.
m)	<i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.



Report Committee of Adjustment

Filing Date: November 28th 2022

Hearing Date: January 3rd 2023

File: B-2022-0026

**Owner/
Applicant:** KULIR & NAVNEET RAO / NOBLE PRIME SOLUTIONS LTD.

Address: 33 Silktop Trail

Ward: WARD 9

Contact: Chinoye Sunny, Planner I

Recommendations:

That application B-2022-0019 be deferred no later than the last hearing of March 2023.

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 762.16 square metres (0.188 acres). The proposed severed lot has a frontage of approximately 13.95 metres (45.77 feet), a depth of approximately 25 metres (82.02 feet) and an area of approximately 387.25 square metres (0.096 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

Background:

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Low Density Residential 1' in the Springdale Secondary Plan (Area 2); and
- **Zoning By-law:** The subject property is zoned 'Residential Single Detached C (R1C-856)' according to By-Law 270-2004, as amended.

Current Situation:

The consent application has been submitted to facilitate the severance of the subject property to create a new residential lot for future development of a single detached dwelling.

Staff have reviewed the submission materials provided by the applicant and have determined that additional information on the proposal for future development is required prior to making a recommendation to the Committee of Adjustment. In reviewing the application, Traffic Services Staff have expressed concerns regarding the proposed severed lot driveway connection to the public road. There is currently an active Site Plan Approval application to build a proper cul-de-sac that could potentially impact the driveway connection for the severed lot.

City Staff have discussed the above noted matters with the applicant which will need to be addressed through a revised concept plan. Therefore, staff recommend a deferral of the application so that the applicant can amend the application to the satisfaction of City Staff.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Chinoye Sunny', with a stylized flourish extending from the end.

Chinoye Sunny, Planner I



Report Committee of Adjustment

Filing Date: November 28th 2022

Hearing Date: March 28th 2023

File: B-2022-0026

**Owner/
Applicant:** KULIR & NAVNEET RAO / NOBLE PRIME SOLUTIONS LTD.

Address: 33 Silktop Trail

Ward: WARD 9

Contact: Chinoye Sunny, Planner I

Recommendations:

That application B-2022-0026 be deferred no later than the last hearing of May 2023.

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 762.16 square metres (0.188 acres). The proposed severed lot has a frontage of approximately 13.95 metres (45.77 feet), a depth of approximately 25 metres (82.02 feet) and an area of approximately 387.25 square metres (0.096 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

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The application was previously deferred at the January 3rd, 2023 hearing (see Appendix 1) as City Staff discussed with the applicant that a revised concept plan will need to be submitted to address the above-noted matters. The revised concept plan was not submitted for review. Therefore, staff recommend a deferral of the application so that the applicant can amend the application to the satisfaction of City Staff.

Respectfully Submitted,

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Chinoye Sunny, Planner I



Report Committee of Adjustment

Filing Date: November 28th 2022

Hearing Date: July 11th 2023

File: B-2022-0026

**Owner/
Applicant:** KULIR & NAVNEET RAO / NOBLE PRIME SOLUTIONS LTD.

Address: 33 Silktop Trail

Ward: WARD 9

Contact: Chinoye Sunny, Planner I

Recommendations:

That application B-2022-0026 be deferred no later than the last hearing of October 2023.

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 762.16 square metres (0.188 acres). The proposed severed lot has a frontage of approximately 13.95 metres (45.77 feet), a depth of approximately 25 metres (82.02 feet) and an area of approximately 387.25 square metres (0.096 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

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Current Situation:

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Staff have reviewed the submission materials provided by the applicant and have determined that additional information on the proposal for future development is required prior to making a recommendation to the Committee of Adjustment. In reviewing the application, Traffic Services Staff have expressed concerns regarding the proposed severed lot driveway connection to the public road. There is currently an active Site Plan Approval application to build a proper cul-de-sac that could potentially impact the driveway connection for the severed lot.

The application was previously deferred at the January 3rd, 2023 hearing (see Appendix 1) and at the March 28th, 2023 hearing (see Appendix 2) as City Staff discussed with the applicant that a revised concept plan will need to be submitted to address the above-noted matters. The revised concept plan was not submitted for review. Therefore, staff recommend a deferral of the application so that the applicant can amend the application to the satisfaction of City Staff.

Respectfully Submitted,

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Chinoye Sunny, Planner I