

July 21, 2023

Dear Jeanie Myers, Secretary-Treasurer
City of Brampton
2 Wellington Street West
Brampton ON L6Y 4R2

Subject: 5 Mill Street North
Minor Variance Application for Expansion of Legal Non-Conforming Development

I am pleased to submit this minor variance application on behalf of Cassar Property Management Inc., the owner of the subject property.

The subject property is occupied by a three storey triplex residential development. The triplex has been damaged by fire which was started by an unauthorized entry into the building.

The existing triplex residential development is legal non-conforming.

The proposal is to permit new construction for fire damage replacement, as well as interior alterations and new construction to facilitate modern improvements to the building for such matters as accessibility, mechanical and insulation.

In consultation with Brampton building and planning staff, conducted prior to the submission of this minor variance application, the minor variance that is being sought is as follows:

1. To expand the legal non-conforming use to permit new construction for fire damage replacement, interior alterations, and new construction of front wall, verandah, basement storage and roof, an enclosed rear staircase, and rear basement entrance whereas the by-law permits the legal non-conforming use as a triplex.

The scope of work is illustrated in the attached architectural plans, generally incorporating the following:

1. repair/rebuild and reclad existing exterior walls.
2. rear staircase: rebuild rear two storey staircase, plus add a third storey and a three storey addition (1.5m X 1.83m) for staircase access.
3. rebuild front verandah and stairs. Enclose part of the verandah and incorporate it into the first floor (1.65m/2.40m X 4.24m).
4. front basement storage.
5. rear basement entrance.
6. remove and replace roof and dormer. Incorporating mechanical and insulation will result in a modestly larger envelope.

7. replace windows.
8. rebuild existing floors.
9. interior alterations.
10. maintain triplex.
11. total enclosed gross floor area:
 - a. First floor new 10.96m^2 plus existing $88.07\text{m}^2 = 99.03\text{m}^2$
 - b. Second floor new 2.78m^2 plus existing $94.90\text{m}^2 = 97.68\text{m}^2$
 - c. Third floor new 17.42m^2 plus existing $70.06\text{m}^2 = 87.48\text{m}^2$
 - d. Total gross floor area new 31.16m^2 plus existing $253.03\text{m}^2 = 284.19\text{m}^2$

Section 5.18.4 of the Brampton official plan refers to specific matters to be reasonably satisfied when considering an application for extension or enlargement of a non-conforming use. The following provides an assessment in this regard.

- (i) *The proposed extension or enlargement will not unduly aggravate the situation created by the existence of the use.***

The proposed enlargement will not aggravate the existing situation. The residential development will be maintained and continued, within a mixed environment which includes residential. The proposed enlargement is reasonable, and no additional dwelling units are proposed.

- (ii) *The proposed extension or enlargement represents a reasonable increase in the size of the non-conforming use.***

The enlargement of the existing non-conforming use is modest and appropriate. The changes are aligned with, and provide for some incremental modifications to, the existing building area. The proposal will have no adverse impacts on adjacent properties or the surrounding neighbourhood.

- (iii) *The characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to impacts from noise, vibration, fumes, smoke, dust, odour, lighting, and traffic generation.***

The proposal seeks to replace an existing residential building, with modest and incremental modifications to modernize and secure the development. There are no associated noise, vibration, fumes, smoke, dust, odour, lighting or traffic generation issues. The proposal will not generate additional traffic, noise, etc.

- (iv) *The host neighbourhood and adjacent uses will be afforded reasonable protection by the provision of landscaping, buffering or screening; appropriate setbacks for buildings and structures; and devices and measures for reducing nuisances.***

The interface with adjacent properties will be maintained. Adjacent properties and the Minnes will continue to be afforded reasonable protection, as the existing setbacks to neighbouring properties are to remain unchanged. The rear stairwell addition will not impact neighbouring dwellings, nor will the basement area.

(v) *Adequate provisions will be made for off-street parking and loading facilities.*

The on-site parking supply and accessibility is to be maintained. Parking on the site is to be remarked to accommodate the rear addition, but will continue to provide adequate parking accommodation on the subject property, in accordance with the city's parking requirements.

(vi) *All municipal services such as water, sewage and roads are and will continue to be adequate.*

Municipal services are available and will remain sufficient to accommodate the proposal. There are no additional dwelling units proposed.

(vii) *The application is referred to municipal departments and other appropriate agencies which may be concerned or affected for information reports on relevant considerations before making a decision.*

The minor variance application will continue the consultation that has been undertaken to date. It is expected that any subsequent comments will be provided to assist in the positive deliberation of the proposal.

With respect to matters of provincial interest, the proposal will maintain and improve the existing rental housing stock and housing supply, within a delineated built up area where infrastructure is available. The proposal is consistent with, and conforms to, applicable provincial policies.

It is respectfully submitted that the proposal satisfies all required tests for minor variance, representing a desirable and appropriate development. The proposal represents good planning.

Thank you for your kind attention to this matter. Do not hesitate to reach out with any questions or if further information is desired.



Yours truly,
Action Planning Consultants

A handwritten signature in black ink that reads "F. Romano". The signature is written in a cursive, flowing style.

Franco D. Romano, MPA, BAA, MCIP, RPP
Principal