



Report Committee of Adjustment

Filing Date: November 15, 2023

Hearing Date: December 19, 2023

File: A-2023-0361

**Owner/
Applicant:** Maqsood Ahmed

Address: 27 Deeside Crescent

Ward: 7

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2023-0361 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the applicant implement planting to screen the proposed below grade entrance in a manner satisfactory to the Director of Development and Design Services;
 3. That the proposed landscape buffer as depicted in Appendix B shall be maintained, and shall not be removed, but may be repaired when necessary;
 4. That the below grade entrance shall not be used to access an unregistered second unit;
 5. 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 Semi-Detached A – Special Section 100 (R2A(1)-100)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the front lot line, whereas the by-law does not permit a stairway constructed below established grade to be located between the main wall of a dwelling and the front lot line;
2. To permit a front yard setback of 5.9 metres to a proposed stairway leading to a below grade entrance, whereas the by-law requires a minimum front yard setback of 7.6m.

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 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variances have no impact within the context of the policies of the Official Plan and Secondary Plan and maintains the general intent and purpose of the Official Plan.

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

The applicant is requesting approval of two variances relating to a proposed below grade entrance. The first variance is requested to permit a below grade entrance between the main wall of the dwelling and the front lot line whereas the by-law does not permit a stairway constructed below established grade to be located between the main wall of a dwelling and the front lot line. The second variance is requested to permit a front yard setback of 5.9 metres to a proposed stairway leading to a below grade entrance, whereas the by-law requires a minimum front yard setback of 7.6m. The intent of the by-law in prohibiting below grade entrances between main wall of the dwelling and the front lot line and requiring a minimum amount of front yard setback is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape, sufficient area is provided in the front yard drainage and landscaped area.

The applicant is proposing to construct a below grade entrance on what is considered to be the main walls of the semi-detached dwelling located on a corner lot. The location of the proposed entrance is not anticipated to impact drainage, and access to the rear yard is maintained on the other side of the property. Furthermore, the proposed front yard setback represents a 1.7m reduction to what the by-law permits. Given that the entrance is in a highly visible area of the wall to the street (Deeside Road), a condition of approval is recommended that the applicant implement planting to screen the proposed below grade entrance in a manner that is satisfactory to the Director of Development and Design Services. The applicant provided a revised site plan (Appendix B), which depicts that the entrance will be screened from the streetscape through the planting of vegetation. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to permit a proposed stairway and below grade entrance which will be situation on what is considered to be the front wall of the semi-detached dwelling located on a

corner lot. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Furthermore, the implementation of vegetation is preferred in this case because of the location of the location subject to this proposal in the main wall of the dwelling. In staff's opinion as there is no existing fence on site and the potential erection of a new fence would have a greater negative visual impact on the streetscape. Conditions of approval are provided that the proposed planting to screen the proposed below grade entrance be implemented in a manner satisfactory to the Director of Development and Design Services, and that the proposed landscape buffer be maintained, and shall not be removed, but may be repaired when necessary. The requested variances are intended to permit a proposed stairway to a below grade entrance which will be situated on Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The location of the below grade entrance is not considered to impact access to the property or visually detract from the streetscape. The application has been reviewed by Staff and they are of the opinion that neighbouring properties should not be negatively impacted by the proposal. Furthermore, no negative impacts to drainage are anticipated. Subject to the recommended conditions of approval, the variance considered minor in nature.

Respectfully Submitted,

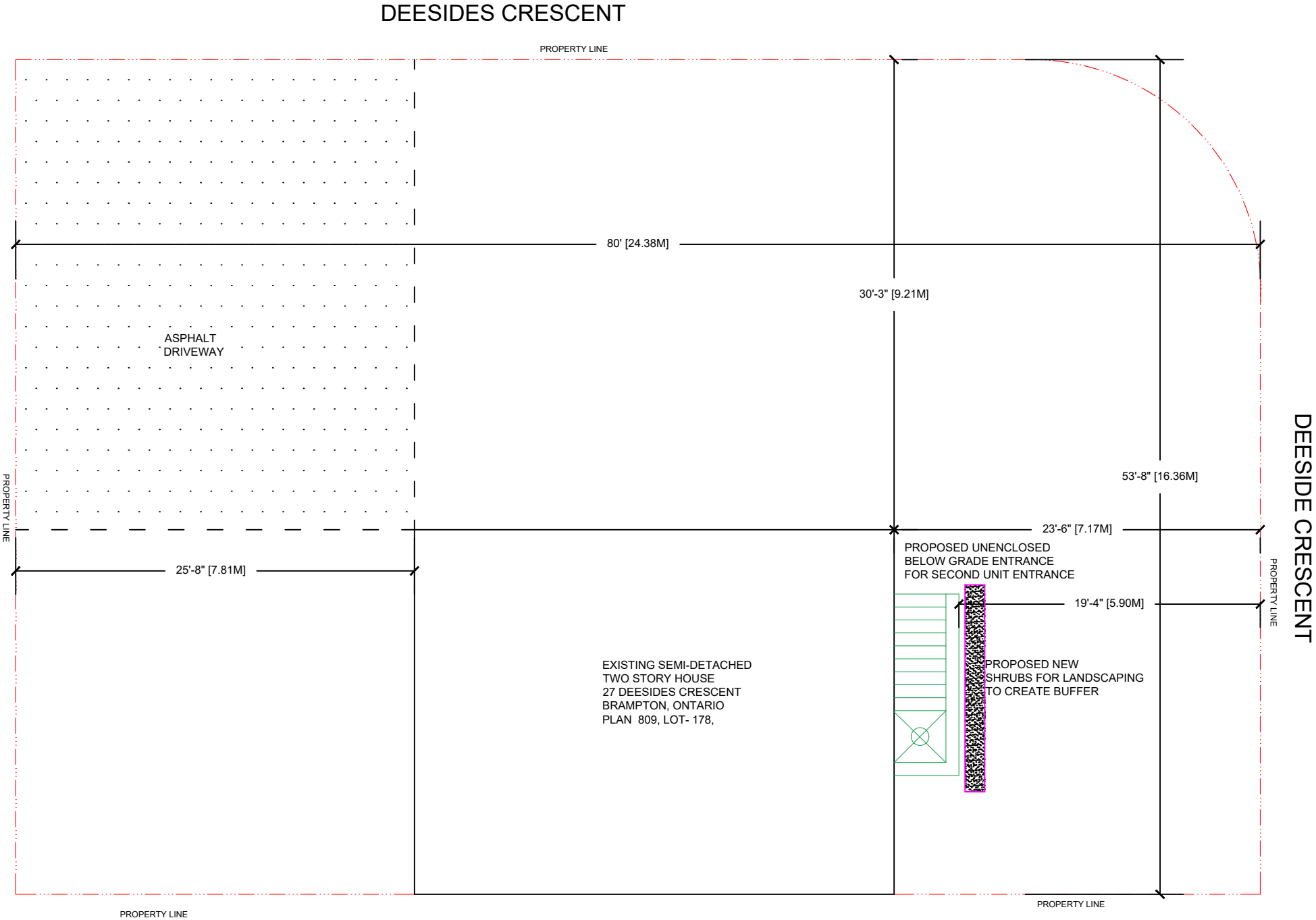
Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos



Appendix B - Site Plan with Landscape Buffer



Notes:

RELEASED FOR BUILDING PERMIT
*CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPENANCIES TO THE CONSULTANTS BEFORE PROCEEDING.
*ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RETURNED AT THE COMPLETION OF WORK.
*THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE CONSULTANT.
*DRAWINGS ARE NOT TO BE SCALED.

*HERITAGE
SOLUTIONS*
1-647-654-8500

PROJECT ADDRESS:

27 DEESIDE CRES

BRAMPTON

ONTARIO

PROJECT DESCRIPTION:

BELOW GRADE ENTANCE IN SIDE YARD

DRAWING DESCRIPTION:

SITE PLAN

SCALE:
1:100

DATE:
OCT 30, 2023

DRAWING NO:

A0

REVISION:

0