



Report Committee of Adjustment

Filing Date: December 20, 2023

Hearing Date: January 23, 2023

File: A-2023-0421

**Owner/
Applicant:** Nishan Cheema & Baljinder Kaur

Address: 25 Goodview Drive

Ward: WARD 9

Contact: Charles Ng, Planner I

Recommendations:

That application A-2023-0421 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 below grade entrance shall not be used to access an unregistered second unit;
 3. That drainage on adjacent properties and the subject property shall not be adversely affected;
 4. That a fence be constructed in a manner that complies with any applicable by-laws and regulations to screen the exterior stairway leading to a below grade entrance, and that the fence shall not be removed or lowered, but may be repaired or replaced when necessary. As an alternative, the applicant may provide city planning staff with a revised plan depicting vegetation in a manner that screens the exterior stairway leading to a below grade entrance.
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The applicant has submitted a Minor Variance Application to permit an exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the flankage lot line.

Existing Zoning:

The subject property is zoned 'Residential Single Detached F-x – R1F-x Zone' with Special Section '2368' (R1F-9-2368), 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 flankage 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 flankage lot line.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan, and further designated 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48B). In relation to the council approved Brampton Plan, the subject property is designated as 'Neighbourhoods', as per Schedule 2 – Designations. The 'Residential' designation in the Official Plan permits residential uses as well as other complementary uses. The 'Neighbourhoods' designation in the council approved Brampton Plan permits a broad range of residential uses and neighbourhood-supportive commercial uses, community services, and facilities that supports 15-minute neighbourhoods. The 'Low Density Residential' designation in the Secondary Plan permits single-detached, semi-detached, and townhouses at a minimum density of 19.5 units per net residential hectare, and a maximum density of 30.1 units per net residential hectare.

The requested variance is considered to maintain the general intent, purpose, and function of the 'Residential', 'Neighbourhoods', and 'Medium Density Residential' designations. The requested variance is not considered to have significant impacts within the context of the applicable planning policy framework.

Subject to the recommended conditions of approval, the requested variance 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 requested variance is to permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the flankage 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 flankage lot line. The intent of the by-law in regulating the location of exterior stairways leading to below grade entrances is to ensure that access the rear yard is appropriately maintained; that drainage is not adversely affected; that the appearance of the below grade entrance does not negatively

impact the overall streetscape; and that an adequate and appropriate amount of landscaped area is maintained.

The proposed exterior stairway leading to a below grade entrance is not anticipated to restrict the ability to access the rear yard as an adequate amount of side yard is maintained; significantly affect drainage; or significantly reduce the landscaped area in a manner that is not desirable within the flankage side yard. A condition of approval is included to include the construction of a fence for the purpose of screening the exterior stairway leading to a below grade entrance. Alternatively, the applicant may provide city planning staff with a revised drawing depicting vegetation in a manner that screens the exterior stairway leading to a below grade entrance.

Subject to the recommended conditions of approval, the requested 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 proposed exterior stairway leading to a below grade entrance is located within the flankage side yard and is not anticipated to significantly affect the subject property, adjacent properties, or the neighbourhood. Furthermore, the requested variance is generally aligned with the planned intent, function, and use of the subject property, the Official Plan, and the Zoning By-law by the supporting the creation of an additional residential unit.

Subject to the recommended conditions of approval, the requested variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The proposed exterior stairway leading to a below grade entrance in the flankage side yard is not anticipated to significantly impact access to the rear yard, drainage, the subject property, adjacent properties, or the neighbourhood.

Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,

Charles Ng

Charles Ng, Planner I

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Appendix B:





