



## Report Committee of Adjustment

**Filing Date:** January 19<sup>th</sup>, 2024  
**Hearing Date:** February 20<sup>th</sup>, 2024

**File:** A-2024-0005

**Owner/  
Applicant:** Narinder Singh Bains, Birinder Kaur Bains

**Address:** 75 Twin Willow Crescent

**Ward:** WARD 2

**Contact:** Aferdita Dzaferovska, Planning Technician

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### **Recommendations:**

That application A-2024-0005 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; and
  4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

#### Existing Zoning:

The property is zoned 'Residential Single Detached C Special Section 602 (R1C-602)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit an interior side yard setback of 0.03m to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum setback of 0.3m to an exterior stairway leading to a below grade entrance in the interior side yard provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

## **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 Residential ' in the Snelgrove Heart Lake Secondary Plan (Area 1). 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 a range of residential uses and densities in accordance with Section 4.2.1.2 of the Official Plan.

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

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 property is zoned 'Residential Single Detached C Special Section 602 (R1C-602)', according to By-law 270-2004, as amended.

The variance requested is to permit an interior side yard setback of 0.03m to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum setback of 0.3m to an exterior stairway leading to a below grade entrance in the interior side yard provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling. The intent of the By-law in regulating setbacks is to manage impacts to the subject property and adjacent properties with respect, drainage and site circulation.

The proposed exterior stairway leading to a below grade entrance is not anticipated to restrict the ability to access the rear yard. Despite the setback being reduced to 0.3 metres (0.03 ft.), access to the rear yard is maintained as the design of the below grade entrance will not impede travel to the rear yard as an adequate amount of side yard is maintained for site circulation on either side of the dwelling. There are no anticipated impacts to drainage. Further, a condition of approval is recommended that drainage on adjacent properties and the subject property shall not be adversely affected.

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 proposed variance is not anticipated to significantly affect the subject property or adjacent properties. The requested variance will facilitate the construction of a new below grade entrance serving as the primary entry and exit for the basement of the dwelling.

The requested variances are considered to maintain the general intent and function of the subject property. Despite the below grade entrance resulting in a reduced interior setback, Staff are satisfied with the current proposal as an unobstructed path of travel to and from the front and rear yard is maintained on either side of the dwelling. Conditions of approval have also been included noting that the below grade entrance shall not be used to access an unregistered second unit and that drainage on the adjacent properties shall not be adversely affected.

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 location of the below grade entrance and reduced interior side yard setback are not considered to impact access to the rear yard as residents will not need to trespass on the neighbouring lot. Staff have determined that sufficient space is provided to allow for drainage through the use of permeable landscaping features and therefore, is not anticipated to cause drainage issues on abutting properties or on the subject lands.

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

Respectfully Submitted,

Aferdita Dzaferouska

Aferdita Dzaferovska, Planning Technician

APPENDIX A – Site Visit Photos

