



Report Committee of Adjustment

Filing Date: February 26, 2023

Hearing Date: March 28, 2023

File: A-2023-0051

Owner/

Applicant: PARTH SHAH/ HINAL PARTH SHAH & SALMAN ELLAHI

Address: 4 Rain Lily Lane

Ward: WARD 10

Contact: Ellis Lewis, Planning Technician

Recommendations:

That application A-2023-0051 be deferred no later than the last hearing of June 2023.

Background:

The subject property is located at 4 Rain Lily Lane. The applicant submitted a Minor Variance application proposing a reduced side yard set back and to permit a below grade entrance in a quattroplex. The applicant requested a deferral as they are assessing an additional variance.

Existing Zoning:

The property is zoned 'Residential Extended Zone – Special section 697 (R2B- 697)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a below grade entrance on a lot containing a quattroplex, whereas the By-law only permits a below grade entrance in a single detached, semi detached or townhouse dwelling; and

2. To permit a side yard setback of 1.29m (4.2 ft.) to a below grade entrance, whereas the By-law requires a minimum interior side yard setback of 1.8m (5.9 ft.).

Current Situation:

The subject property is zoned R2B (697) which permits the use of a quattroplex dwelling and purposes accessory to the other permitted purposes. A quattroplex is already existing on the subject property, an additional unit will result in five residential units occupying the property. The City of Brampton Zoning By-law definition for "Dwelling, Apartment" is a building containing five (5) or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common elements.

Staff have raised their concerns regarding the proposed variance(s) to the applicant, outlining issues such as the creation of an "Apartment Dwelling" and the requirement of two parking spaces per dwelling unit as required by R2B-697 Zoning By-law.

Staff recommend a flexible deferral of the application to a date no later than the last hearing of June 2023 so that the additional variance can be assessed and for staff to gain a better understanding of the issues relating to the overall development of the land. This additional time will allow sufficient time for the applicant to submit a revised Minor Variance application and for staff to review and provide additional feedback as necessary.

Respectfully Submitted,

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

Ellis Lewis, Planning Technician