



## Report Committee of Adjustment

**Filing Date:** May 2, 2024  
**Hearing Date:** June 18, 2024

**File:** A-2024-0140

**Owner/  
Applicant:** SURESH KUREECKAL AND SARIKA RUGMINIAMMA

**Address:** 121 Bellchase Trail

**Ward:** WARD 10

**Contact:** Rajvi Patel, Planner I

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### **Recommendations:**

That application A-2024-0140 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. That the above grade entrance shall not be used to access an unregistered second unit;
  3. 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 F (R1F-11.6)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.86m extending from the rear wall of the dwelling up to the door, whereas the by-law permits an above grade entrance when the side yard within which the door is located has a minimum width of 1.2m (3.94 ft.) extending from the rear wall of the dwelling up to and including the door, provided that a continuous side yard of not less than 1.2m is provided on the opposite

side of the dwelling.

2. To permit a 0.86m wide pedestrian path of travel leading to the principal entrance of an additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m leading to the principal entrance of an additional residential unit.

### **Current Situation:**

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

The subject property is designated 'Residential' in the Official Plan and 'Low/ Medium Density Residential' in the Bram East Secondary Plan (Area 41).

As per the Regionally-Approved Brampton Plan the subject property is designated the following:

- Community Areas – Schedule 1A
- Neighbourhoods – Schedule 2

The requested variances are not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies, and 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 subject property is currently zoned 'Residential Single Detached F,' Special Section 11.6 (R1F-11.6), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a proposed above grade entrance in a side yard having a minimum width of 0.86m extending from the rear wall of the dwelling up to the door, whereas the by-law permits an above grade entrance when the side yard within which the door is located has a minimum width of 1.2m extending from the rear wall of the dwelling up to and including the door, provided that a continuous side yard of not less than 1.2m is provided on the opposite side of the dwelling. Variance 2 is requested to permit a 0.86m wide pedestrian path of travel leading to the principal entrance of an additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m leading to the principal entrance of an additional residential unit. The intent of the by-law in requiring a minimum setback of 1.2m from the side yard to an above grade door and a minimum path of travel of 1.2m is to ensure that there is sufficient area to act as the primary access to a second unit for both every day and emergency purposes.

An above grade side door is proposed on the northeastern side wall of the dwelling. In this case, the variance relates to a 0.34m reduction to the side yard and path of travel for the area serving as a walkway to the side entrance. A 1.2m side yard setback is provided on the opposite side of the single detached dwelling ensuring that sufficient access is provided to the secondary unit. Building Staff have reviewed the application and have no objections to the proposed path of travel for which the Ontario

Building Code requires a minimum 0.86m wide area of travel so that the entrance can be used as a primary means of access to a residential unit. The location of the entrance and path of travel width is considered sufficient for everyday and emergency purposes. Subject to the recommended conditions of approval, the variances maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 and 2 are requested to facilitate a proposed above grade door having a reduced interior side yard setback and a path of travel leading to the principal entrance to a second unit. The reduced setback and path of travel extending from the rear wall of the dwelling up to the door are not considered to significantly impact everyday use as sufficient space is provided on the opposite side of the dwelling. Subject to the recommended conditions of approval, the variances are not anticipated to generate negative impacts on-site or off-site and are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 and 2 are requested to facilitate the registration of a second unit by allowing the location and setbacks of an existing above grade entrance and reduced path of travel. The reduced interior side yard setback and path of travel of 0.86m are not considered to significantly limit everyday use and provide sufficient space for emergency responders. Subject to the recommended conditions of approval, the variances are considered to be minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Planner I

Appendix A – Existing Site Conditions

