



## Report Committee of Adjustment

**Filing Date:** June 7, 2024  
**Hearing Date:** July 16, 2024

**File:** A-2024-0211

**Owner/  
Applicant:** Pardeep Singh & Sandeep Singh

**Address:** 28 Dolly Varden Drive

**Ward:** WARD 10

**Contact:** Hayden Poon, Planning Technician

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### **Recommendations:**

That application A-2024-0211 be refused.

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### **Background:**

#### Existing Zoning:

The property is zoned 'Residential Single Detached D (R1D-1262)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 0.04 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.2 metres; and
2. To permit a proposed exterior stairway leading to a below grade entrance in a required side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard.

## **Current Situation:**

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

The subject property is designated as 'Residential' in the Official Plan and 'Low Density Residential 1' in the Springdale Secondary Plan. In relation to Council Endorsed Brampton Plan 2023, the subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhoods' (Schedule 2 – Designations). 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**

Variance 1 is requested to permit an interior side yard setback of 0.04 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.2 metres. Variance 2 is requested to permit a proposed exterior stairway leading to a below grade entrance in a required side yard, whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard. The intent of the by-law in requiring a minimum interior side yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard.

The applicant is proposing a below grade entrance attached to the east wall of the building, reducing the interior side yard setback of 1.26 metres to 0.04 metres. The opposite side yard setback is proposed to remain unchanged at 0.61 metres. When completing a review to determine whether the location of a below grade entrance and resulting interior side yard setback are appropriate, staff look to ensure that its location will not contribute to disturbance onto adjacent properties by way of access or drainage. Staff have reviewed the application and have no concern to access. The design of the below grade entrance ensures unimpeded travel to the rear yard with a continuous pathway. Additionally, the proposal includes two step risers flanking the entrance, eliminating the need to encroach upon neighboring properties. However, Staff have concerns relating to drainage. As per the City of Brampton Subdivision Manual, the location of the proposed below grade entrance is not considered to provide sufficient space for drainage on the property. Engineering Staff have commented that they do not support the proposed below grade entrance due to the 1.2 metres side yard setback being required for drainage purposes in accordance with the City of Brampton rear to front drainage design requirements. Staff have communicated the matter with the applicant.

The requested variances are anticipated to impact drainage on site and off site and are not 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 in a required side yard is anticipated to significantly affect the subject property and adjacent property by way of drainage. The location of the proposed below grade entrance is not considered to provide sufficient space for drainage on the property which follows a rear to front drainage design. The requested variances are not 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 anticipated to have a negative disturbance by way of drainage. Staff have determined that sufficient space has not been provided to allow for drainage and therefore, it is anticipated to cause issues on the abutting property and on the subject lands. As such, Variances 1 and 2 are not considered minor in nature.

Respectfully Submitted,

*Hayden Poon*

Hayden Poon, Planning Technician

Appendix A:

