



## Report Committee of Adjustment

**Filing Date:** January 9, 2025  
**Hearing Date:** February 25, 2025

**File:** A-2025-0008

**Owner:** Emmanuel Jude Agbonifo, Ugiomo Agbonifo  
**Applicant:** Sukhdeep Bhangu (Linedezine Studio Ltd.)

**Address:** 21 Banting Crescent

**Ward:** WARD 4

**Contact:** Qian (Andrea) Zhang, Planner I

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### Recommendations:

That application A-2025-0008 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the revised sketch attached to the Notice of Decision and appendix A;
  2. That the path of travel remain unobstructed, and the Owner shall relocate any existing utilities within the reduced path of travel area;
  3. That the below grade entrance shall not be used to access an unregistered second unit;
  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:

After the Public Notice was issued and discussions were held with City staff, the applicant revised their proposal to include an alternative path of travel on the opposite side of the house (as shown in Appendix A). The revised path of travel is 0.98 metres wide, an increase from the previously proposed 0.74 metres.

### Existing Zoning:

The property is zoned 'zoned 'Residential Single Detached D (R1D-3144)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a 0.98 metres 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 1.2 metres leading to the principal entrance of an additional residential unit.

**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 1 Residential' in the Brampton Flowertown Secondary Plan (Area 6). The subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhood' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

As stated in Official Plan Section 3.2.8.2(ii), a second unit must comply with the Ontario Building Code and/or Fire Code, Property Standards By-law and other applicable approval requirements. The requested variance is not considered to have significant impacts within the context of the Official Plan. Subject to the recommended conditions of approval, the nature and extent of the proposed 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 variance is requested to permit a 0.98 metres 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 1.2 metres leading to the principal entrance of an additional residential unit. The intent of the by-law in requiring a minimum path of travel is to ensure that there is sufficient area to act as the primary access to a second unit for both everyday and emergency purposes.

The variance is required to facilitate the construction of a below grade entrance located along the rear wall of the dwelling. The Owner has confirmed that the AC unit in the interior side yard will be relocated to the rear yard. Building Staff have reviewed the application and have no objections to the proposed path of travel as it will comply with minimum Ontario Building Code requirements. 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 variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance is requested to facilitate a reduced path of travel leading to the principal entrance to a second unit. The reduced path of travel is not considered to significantly impact everyday use as sufficient space is provided. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended conditions, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance is requested to facilitate the use of a second unit by allowing the reduced path of travel. The reduced path of travel of 0.98 metres is not considered to significantly limit everyday use and it provides sufficient space for emergency responders. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

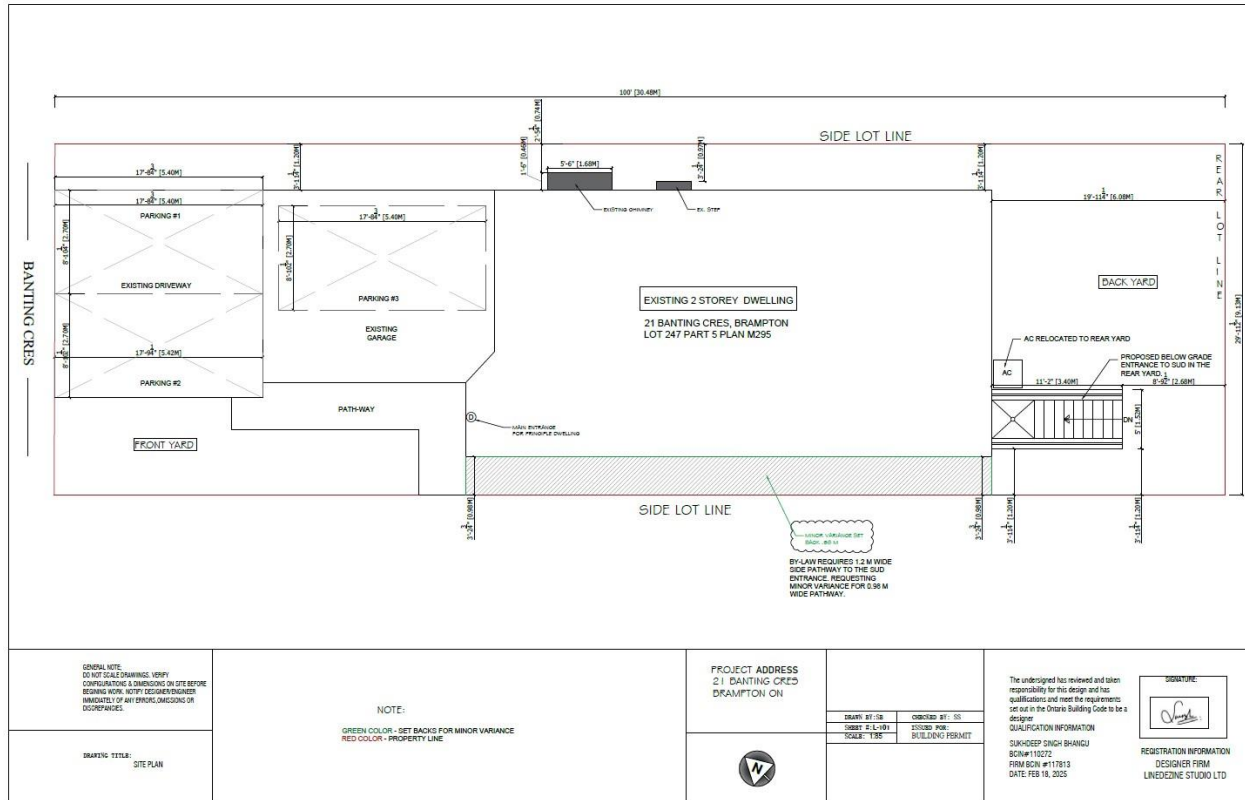
Respectfully Submitted,



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Qian (Andrea) Zhang, Planner I

# Appendix A: Site Plan



## Site Photo

