

**Filing Date:** 14-Apr-2021  
**Hearing Date:** 11-May-2021

**File:** A-2021-0090

**Owner/  
Applicant:** David Singh – Contact Info: Valiuddin Mohammed  
**Address:** 37 HAVERTY TRAIL, BRAMPTON, ON L7A0S2

**Ward:** WARD 6

**Contact:** Tejinder Sidhu, Planner I, Development

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**Recommendations:**

That application is supportable, subject to the following conditions being imposed:

1. That the existing driveway of 7.16 metres will be reduced to 6.71 metres to comply with the zoning by law as noted on the sketch attached to the Public Notice;
  2. That the extent of Variance 1 be limited to the extent shown on the sketch attached to the public notice;
  3. That prior to the issuance of a building permit, elevations are to be approved to the satisfaction of the Director of Development Services;
  4. That the applicant shall obtain a building permit for the building addition at the discretion of the Chief Building Official;
  5. That the below grade entrance shall not be used to access an unregistered second unit; and
  6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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**Background:**

Through the review of the application, the applicant was advised that an additional variance would be required to permit the width of the existing driveway which was not consistent with the zoning by-law requirements. As noted on the public notice, the applicant has advised that the existing driveway will be reduced back to 6.71 metres to comply with the zoning by-law.

Existing Zoning:

The property is zoned Residential Single Detached D (R1D) – Special Section 2014, according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an exterior side yard setback of 1.37m (4.50 feet) to a proposed building addition (enclosed below grade entrance) whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 feet).

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Fletcher's Meadow Secondary Plan. The requested variance is not considered to have significant impact within the context of the Official Plan and, subject to the recommended conditions of approval, is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned Residential Single Detached D (R1D) – Special Section 2014, according to By-law 270-2004, as amended.

Variance 1 is to permit a reduced exterior side yard setback of 1.37m (4.50 feet) to a proposed building addition (enclosed below grade entrance) whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 feet). The intent of the by-law in requiring a minimum exterior side yard setback to an enclosure is to ensure that there is no visual impact on the streetscape. A condition of approval is recommended that elevations be submitted to the satisfaction of the Director of Development Services to ensure visual impacts are retained from the street. Subject to the recommended conditions of approval, Variance 1 maintains the general intent of the zoning by-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a reduced setback to a proposed building addition in the exterior side yard. Subject to the recommended conditions of approval including submitting elevations to the satisfaction of the Director of Development Services, this addition is not anticipated to have any negative impacts. This condition will ensure that the addition is complementary to the existing dwelling. Other conditions of approval recommended are that the entrance not be used to access an unregistered second unit, and that a building permit be obtained for the below grade entrance within 60 days of the final date of the Committee's decision in order to ensure that the entrance, enclosure, and any associated second unit are all constructed in accordance with the Ontario Building Code. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is to permit a reduced setback to a proposed building addition in the exterior side yard. Subject to the recommended conditions of approval, this variance is considered to be minor in nature.

Respectfully Submitted,

Tejinder Sidhu

Tejinder Sidhu, Planner I, Development