



Report Committee of Adjustment

Filing Date: August 6, 2021
Hearing Date: September 14, 2021
File: A-2021-0181
**Owner/
Applicant:** IKBAL CHAWLA AND SUKHVINDER CHAWLA
Address: 45 Doncaster Drive
Ward: WARD 7
Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0181 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 below 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 Semi-Detached (R2A(1)-100)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
2. To permit an interior side yard setback of 2.24m (7.35 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.).

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" within the Bramalea Secondary Plan Area (Area 3). Within the context of the Official Plan and Secondary Plan policies, the requested variances have no significant impacts. The requested variances maintain the general intent of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The applicant is requesting approval for two variances relating to a proposed below grade entrance. Variance 1 is requested to permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard. Variance 2 is requested to permit an interior side yard setback of 2.24m (7.35 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.). The intent of the by-law in not allowing below grade entrances in the required interior side yard, and requiring a minimum amount of interior side yard setback is to ensure that there is adequate room available to allow for drainage and access to the rear yard.

The proposed stairway leading to a below grade entrance encroaching into the required interior side yard is not expected to have significant impact on drainage and sufficient space will be maintained for access to the rear yard. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to permit a proposed stairway and below grade entrance which will be situated in the required interior side yard. A condition of approval is recommended that drainage on adjacent properties shall not be adversely affected and that the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended condition of approval, the variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are not considered to have significant impact on drainage or limit access to the property. The variances are deemed minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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