

Filing Date: September 21, 2020

Hearing Date: October 20, 2020

File: A-2020-0092

**Owner/
Applicant:** VISHAVPREET TATLA AND SIMRAJIT TATLA

Address: 38 Showboat Crescent

Ward: 1

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0092 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 Public Notice;
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.

Background:

Existing Zoning:

The property is zoned "Residential Single Detached C – Special Section 1159 (R1C-1159) according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed below-grade exterior stairway to be located between the main wall of the dwelling and the front lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the front lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated as “Residential” in the Official Plan and “Low Density Residential” in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance 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 C – Special Section 1159 (R1C-1159) according to By-law 270-2004, as amended. The requested variance is intended to facilitate the construction of a below grade entrance within a portion of the covered porch area.

The intent of the by-law in prohibiting below grade entrances between the main wall of the dwelling and the front lot line is to ensure that the aesthetic quality of the streetscape is maintained. The proposed below grade entrance will be located within a portion of the covered porch which will provide screening for the below grade entrance to minimize impacts on the streetscape. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is requested to facilitate the construction of a second dwelling unit in the existing dwelling by providing a below grade entrance within a portion of the covered porch area. The proposed location of the below grade entrance will be screened by the existing porch and will have minimal impacts on the streetscape. A condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that the second unit is constructed in accordance with the Ontario Building Code. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a below grade entrance within the portion of the lot between the main wall of the dwelling and the front lot line is intended to facilitate the construction of a below grade entrance in the covered porch. A condition of approval is recommended that the variance be limited to the extent shown on the sketch attached to the public notice to ensure the below grade entrance is not relocated within the front yard. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development