



## Report Committee of Adjustment

**Filing Date:** July 24, 2022  
**Hearing Date:** August 23, 2022

**File:** A-2022-0244

**Owner/  
Applicant:** Rosebir Bath, Gurmukh Bath, Sourav Rana & Nirmal Bath

**Address:** 114 Ravenswood Drive

**Ward:** WARD 4

**Contact:** Simran Sandhu, Assistant Development Planner

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### **Recommendations:**

That application A-2022-00244 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 Single Detached D (R1D)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a 0.07m (0.23 ft.) setback to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

**Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Low/Medium Density Residential' in the Bram West Secondary Plan (Area 24). The nature and extent of the proposed variances are 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 requested variance is to permit a 0.07m (0.23 ft.) setback to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling. 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 applicant is proposing to construct a below grade entrance encroaching into the required interior side yard. The entrance is not expected to impact drainage and a continuous side yard width of 1.2m (3.94 ft.) is provided on the opposite side of the dwelling to maintain access to the rear yard. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. The variances is considered to maintain the general intent and purpose of the Zoning By-law.

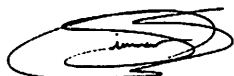
3. Desirable for the Appropriate Development of the Land

The requested variances is intended to permit a proposed below grade entrance and landing to be situated in the required interior side yard. The applicant is advised that drainage on adjacent properties shall not be adversely affected from the proposed development. Subject to the recommended condition of approval, the variances are considered desirable for the appropriate development of the land as they do not generate negative impacts on-site or off-site.

4. Minor in Nature

The requested variance pertaining to the proposed below grade entrance is not considered to have significant impact on drainage or limit access to the rear of the property. The variances is deemed minor in nature.

Respectfully Submitted,



Simran Sandhu, Assistant Development Planner