



Report Committee of Adjustment

Filing Date: August 10, 2022
Hearing Date: September 13, 2022

File: A-2022-0259

**Owner/
Applicant:** Mukesh Malik & Anju Ratan Malik

Address: 616 Queen Mary Drive

Ward: WARD 6

Contact: Simran Sandhu, Assistant Development Planner

Recommendations:

That application A-2022-0259 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance 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:

The subject property is located within a recently constructed subdivision which has not yet been assumed by the City. Until the subdivision is assumed, the developer is responsible for ensuring that ongoing requirements of the subdivision under maintenance be respected, including requirements relating to drainage and grading. The proposed below grade entrance could impact the lot grading requirements or drainage on the subject property for which the developer is currently responsible. Therefore, the application has been circulated to Urbantech Consulting, the developer's engineer for their review and comments. On September 8th, the City received comments from Urbantech Consulting (see Appendix A) requesting that grading information should be included on the plan that indicates drainage (2% min) away from house and top of the entrance and drain connection at the bottom landing of the entrance.

Existing Zoning:

The property is zoned 'Residential Single Detached F (R1F-9-2452)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line.

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 Mount Pleasant Secondary Plan (Area 51). The nature and extent of the proposed variance, subject to the recommended conditions of approval, maintains the general intent and purpose of the Official Plan.

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

The first variance is requested to permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line. The intent of the by-law is not allowing below grade entrances between the main wall of the dwelling and the flankage lot line.

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

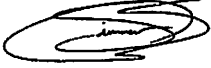
3. Desirable for the Appropriate Development of the Land

The requested variance is intended to permit a proposed stairway and below grade entrance between the main wall of the dwelling and the flankage lot line. A condition of approval is recommended the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended condition of approval, the variance is 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 for the construction of a below grade entrance between the main wall of the dwelling and the flankage lot line is not considered to have significant impact on drainage or limiting access to the property. The variance is deemed minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'Simran Sandhu', enclosed within a large, loopy oval shape.

Simran Sandhu, Assistant Development Planner

Appendix A

Sandhu, Simran

From: Sandhu, Simran
Sent: 2022/09/08 2:48 PM
To: kamal@jauradesign.ca
Subject: CoA A-2022-0259 (616 Queen Mary Drive)

Good afternoon Kamal,

I am the Planner assigned to the review of the subject line Minor Variance application. The subject property is located within a recently constructed subdivision which has not yet been assumed by the City. Until the subdivision is assumed, the developer is responsible for ensuring that ongoing requirements of the subdivision under maintenance be respected, including requirements relating to drainage and grading. The proposed below grade entrance could impact the lot grading requirements or drainage on the subject property for which the developer is currently responsible. Therefore, the application has been circulated to Urbantech Consulting, the developer's engineer for their review and comments.

On September 8th, the City received comments from Urbantech Consulting requesting that grading information should be included on the plan that indicates drainage (2% min) away from house and top of the entrance. A drain connection at the bottom landing of the entrance should be installed as well. Furthermore, they have advised that the applicant/owner is responsible for contacting the developer customer@gtl@mattamycorp.com to discuss next steps & post securities before works begin. Pool permits, driveway cut applications, proposed side yard entrances, grading alterations, etc. Any proposed alteration to their property should go through Mattamy's customer care first.

As noted above, please make all and necessary arrangements with Mattamy Homes as requested.

Regards,

Simran Sandhu
Assistant Development Planner
Development Services
City of Brampton | 2 Wellington Street West | City Hall
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