



## Report Committee of Adjustment

**Filing Date:** May 12, 2023  
**Hearing Date:** June 20, 2023

**File:** A-2023-0153

**Owner/  
Applicant:** Suvansh Mehta and Shruti Raibagi / Valiuddin Mohammed – Mechways Inc

**Address:** 21 Danesbury Crescent

**Ward:** 7

**Contact:** Megan Fernandes, Planning Technician

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### **Recommendations:**

That application A-2023-0153 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 applicant implement planting to screen the proposed below grade entrance as shown on the revised site plan provided by the applicant (Appendix A) in a manner satisfactory to the Director of Development Services;
  3. That the below grade entrance shall not be used to access an unregistered second unit;
  4. That the drainage on adjacent properties shall not be adversely affected; and
  5. 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 applicant is proposing to construct a below grade entrance located between the main wall of the dwelling and the front lot line to accommodate the creation of a second unit within the semi-detached dwelling on a corner lot. The applicant/owner have provided a revised site plan (Appendix A) to include vegetation to screen the proposed below grade entrance as requested by staff.

### Existing Zoning:

The property is zoned 'Residential Semi-Detached A(1) - Special Section 100 (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 to be located between the main wall of the dwelling and the front lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the front lot line;
2. To permit a front yard setback of 7.1m (23.30 ft) to a below grade entrance whereas the by-law requires a minimum front yard setback of 7.6m (24.93 ft);
3. To permit an existing building addition (sunroom) with a rear yard setback of 5.2m (17.06 ft) whereas the by-law requires a minimum rear yard setback of 7.6m (24.93 ft).

**Current Situation:**

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

The property is designated 'Residential' within the Official Plan and 'Low Density 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variances have no impact within the context of the policies of the Official Plan and Secondary Plan, and maintains the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Semi-Detached A(1)' - Special Section 100 (R2A[1]-100, according to Zoning By-law 270-2004, as amended.

Variance 1 is requested to permit a below grade entrance to be located between the main wall of the dwelling and the front lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the front lot line. Variance 2 is seeking to permit a front yard setback of 7.1m (23.30 ft) to a below grade entrance whereas the by-law requires a minimum front yard setback of 7.6m (24.93 ft). 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 appearance of the below-grade entrance does not negatively impact the overall streetscape. The intent of the by-law in regulating the minimum front yard setback is to allow for adequate amenity space and consistent separation between the structure and right of way.

The subject property is a semi-detached property located along the corner of Danesbury Crescent. The location of proposed below grade entrance is located in a highly visible area. The below grade entrance is proposed to be constructed on the eastern wall of the dwelling and the front lot line, fronting Danesbury Crescent. The applicant is proposing new landscaping along the access to the below grade entrance which is intended to provide screening. The proposed vegetation will be approximately 0.61m (2.00 ft.) in height which may not adequately screen the proposed below grade entrance from the

streetscape and public. A condition of approval is recommended that the applicant implement planting to screen the proposed below grade entrance as shown on the sketch in a manner satisfactory to the Director of Development Services.

Variance 3 is requested to permit an existing building addition (sunroom) with a rear yard setback of 5.2m whereas the by-law requires a rear yard setback of 7.6m. The variance is required to facilitate the location of an existing one storey addition (sunroom) at the rear of the dwelling. The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property, that the massing of the structure does not impose on the adjacent property, and is to ensure that sufficient space is maintained for drainage and access to the rear yard.

The subject property is situated on a corner lot and based on the orientation of the dwelling, the sunroom is located within the rear yard. The existing sunroom does not inhibit access to the rear yard, nor is it considered to create privacy concerns as the addition is only one-storey in height and faces an existing fence and shed. The scale of the addition is also considered appropriate and the relative to the size of the property. Furthermore, the requested setback reduction is not expected to negatively impact the adjacent properties as the rear yard faces the driveway to the east and sufficient screening is provided by an existing fence and shed. Subject to the recommended conditions of approval, variance 3 is considered to maintain the general intent and purpose of the Zoning by-law.

### 3. Desirable for the Appropriate Development of the Land

Variances 1 is requested to permit a proposed below grade entrance between the main wall of the dwelling and front lot line which is not permitted by the by-law, variance 2 is requested to permit a proposed reduced front yard setback. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Staff do not anticipate any negative impacts to drainage or access to portions of the property and consider the location of the below grade entrance appropriate given the site context and proposed vegetation used for screening. Subject to the recommended condition of approval, the variances are considered desirable for the appropriate development of the land.

Variance 3 is requested to permit the existing one storey sunroom addition. The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard. The proposed rear yard setback of 5.2 metres is 2.4 metres (7.87 ft.) less than the required 7.6 metres; provides sufficient access to the rear yard and is not anticipated to negatively impact drainage on the property. Additionally, the existing addition is one-storey in height and faces an existing shed and fence which is not anticipated to create privacy concerns. Variance 3 is considered appropriately sized and located given the site context. Therefore, the variance is considered desirable for the appropriate development of the land.

### 4. Minor in Nature

In relation to variances 1 and 2, the construction of a below-grade entrance between the main wall of the dwelling and the front lot line on a corner lot semi-detached dwelling is not anticipated to detract

from the desired aesthetics of the overall streetscape given the inclusion of proposed planting to screen the structure. Therefore, variances 1 and 2 are considered minor in nature.

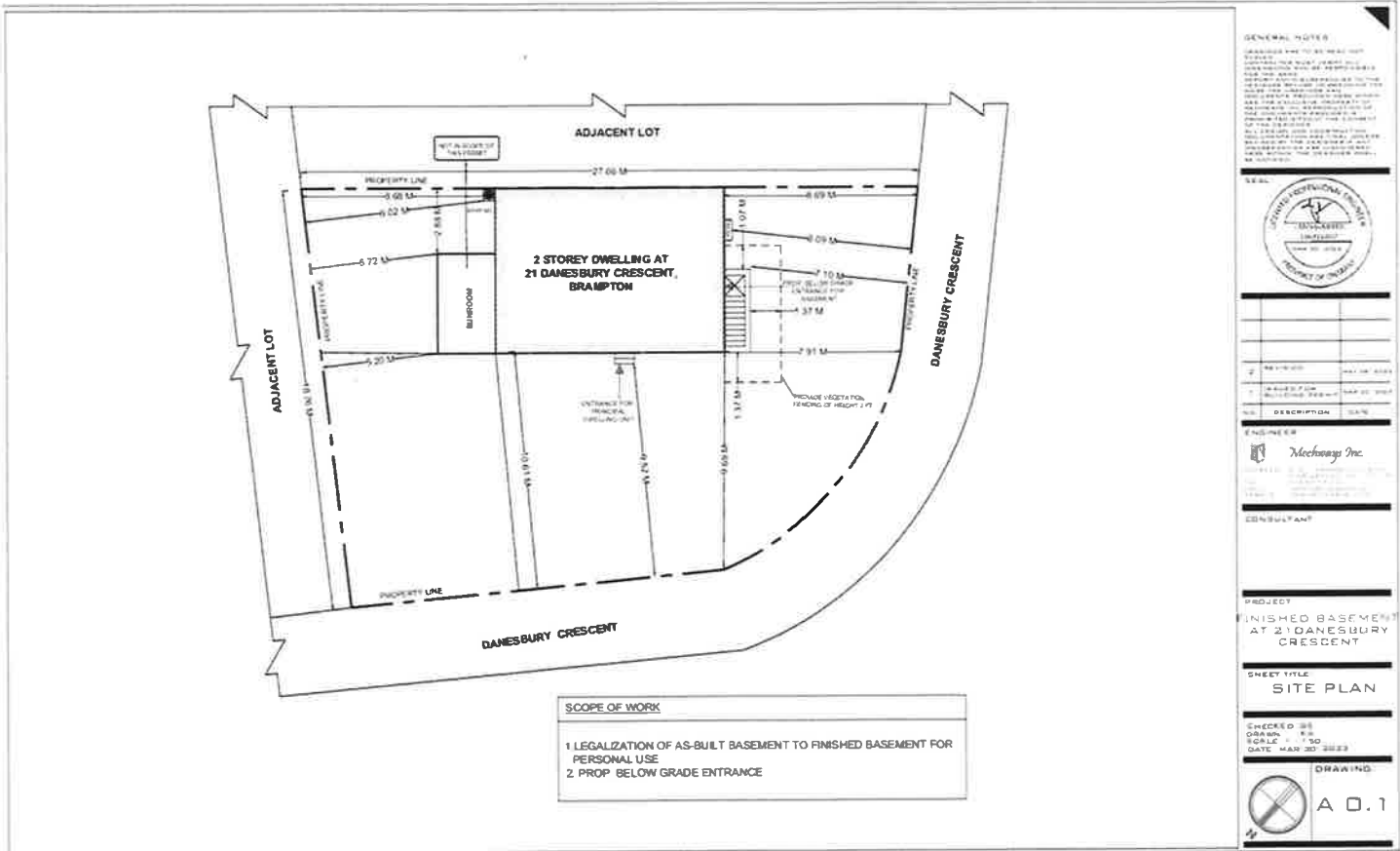
The one storey addition, does not present any sightline concerns; and is appropriately located given the irregular configuration of the property. Subject to the recommended conditions of approval the variance 3 is considered minor in nature.

Respectfully Submitted,

*Megan Fernandes*

Megan Fernandes, Planning Technician

# Appendix A – Revised Site Plan



**GENERAL NOTES**

1. CONSULT THE CITY OF BRAMPTON FOR ALL NECESSARY PERMITS AND REGULATIONS. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE WORK SHOWN ON THIS DRAWING. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ANY OTHER WORK NOT SHOWN ON THIS DRAWING.



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	MAR 20 2023
2	REVISED FOR PERMIT	MAR 20 2023
3	REVISED FOR PERMIT	MAR 20 2023

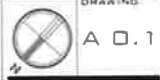
**ENGINEER**  
*Mechanics Inc.*  
 1000 SHEPPARD AVENUE EAST  
 SUITE 100  
 SCARBOROUGH, ONTARIO M1S 1T5  
 TEL: (416) 291-1111  
 FAX: (416) 291-1112  
 WWW.MECHANICSINC.COM

**CONSULTANT**

**PROJECT**  
 FINISHED BASEMENT AT 21 DANESBURY CRESCENT

**SHEET TITLE**  
 SITE PLAN

**CHECKED BY**  
 DRAWN BY  
 SCALE 1:50  
 DATE MAR 20 2023



**Appendix B – Site Visit Photos**

