



Report Committee of Adjustment

Filing Date: July 25, 2023
Hearing Date: October 24, 2023

File: A-2023-0234

**Owner/
Applicant:** PAYAL PATEL

Address: 30 Robertson Davies Drive

Ward: WARD 2

Contact: Rajvi Patel, Planner I

Recommendations:

That application A-2023-0234 be deferred no later than the last hearing of November 2023.

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached C (R1C-603)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 0.0 metre to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum setback of 0.3 metre to an exterior stairway leading to a below grade entrance in the interior side yard provided that a continuous side yard width of no less than 1.2 metre (3.94 feet) is provided on the opposite side of the dwelling.

Current Situation:

The minor variance application is submitted to permit an interior side yard setback of 0.0 metre to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum setback of 0.3 metre to an exterior stairway leading to a below grade entrance in the interior

side yard provided that a continuous side yard width of no less than 1.2 metre (3.94 feet.) is provided on the opposite side of the dwelling.

Staff have reviewed the application and have concerns relating to drainage. As per the City of Brampton Subdivision Manual, the location of the proposed below grade entrance is not considered to provide sufficient space for drainage on the property due to a 1.23m side yard. Engineering Staff provided that they do not support the proposed below grade entrance because the 1.2m side yard setback is required for drainage purposes in accordance with the City of Brampton rear to front drainage design requirements. Staff have communicated the matter with the applicant.

On Monday, October 16, 2023, Planning Staff were notified by the Committee of Adjustment Secretary Treasurer that the Minor Variance signs were not picked up by the owner. In accordance with the Planning Act, notice must be provided at least 10 days before the day of the hearing on an application for a minor variance or permission under subsection 45 (5) of the Act. As the signs were not picked up or displayed within the required legislative timelines, this application is unable to be heard at the scheduled meeting occurring on October 24.

Staff recommend that the application be deferred to the next available meeting to allow sufficient time for the applicant to address staff concerns regarding drainage and adhere to the required legislative timelines.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Planner I