



## Report Committee of Adjustment

**Filing Date:** October 17, 2023  
**Hearing Date:** December 19, 2023

**File:** A-2022-0306

**Owner/  
Applicant:** Joseph Reis

**Address:** 3 Gold Tree Street

**Ward:** WARD 9

**Contact:** Aferdita Dzaferovska, Planning Technician

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### Recommendations:

That application A-2023-0306 is supportable in part, 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 drainage on adjacent properties should not be adversely affected;
  3. That the owner obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section construction of works within the City's road allowance; and
  4. 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 Minor Variance application was deferred at the November 14<sup>th</sup> Committee of Adjustment hearing. The application received for the December 19<sup>th</sup> hearing reflects the same proposal submitted for the November 14<sup>th</sup> hearing with corrected measurements. The applicant is requesting two (2) variances to permit an increased driveway width and reduction of permeable landscaping abutting the side lot line.

Existing Zoning:

The property is zoned 'Residential Single Detached B Special Section 610 (R1B - 610)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.74 metres, whereas the By-law permits a maximum driveway width of 6.71 metres.
2. To permit 0.36 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential ' in the Springdale Secondary Plan (Area 2). In relation to the Council approved Brampton Plan, the subject property is designated as "Neighbourhoods" as per Schedule 2 – Designations. The Official Plan sets out policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. Specifically, Section 4.2.1.14 provides that one of the key areas of design include driveways. The intent of this policy is to ensure that the design of a residential driveway does not accommodate the parking of an excessive number of vehicles and to ensure the driveways are designed in such a manner that they complement and are consistent with the overall streetscape aesthetic. Variance 1 and Variance 2 are not considered to have significant impacts within the context of the Official Plan policies.

Subject to the recommended conditions of approval, the requested 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

Variance 1 is requested to permit a driveway width of 8.74 metres (28.67 feet) whereas the by-law permits a maximum driveway width of 6.71 metres (22.01 feet). The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not significantly affect drainage, reduce the available landscaped area in the front yard in a manner that is undesirable, and that the driveway does not allow for an excessive number of vehicles to be parked on the subject property in a manner that is undesirable.

The variance represents a driveway width increase of 2.03m (6.66 feet). Given the pie shaped configuration of the lot and the narrow front yard, Staff are of the opinion that the existing driveway would not allow for an excessive number of cars to be parked on the property in a manner that is undesirable. Even at its widest point of 8.74 metres (28.67 feet) Staff anticipate that an excessive number of vehicles would not be able to park on the driveway based on its irregular shape. Further, sufficient open landscaped area remains in the front yard despite the increased driveway width. As such negative impacts by way of drainage are not considered. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the by-law.

Variance 2 seeks to permit a reduced permeable landscaping strip of 0.36 whereas a minimum landscaping strip of 0.6m abutting the property is required. The intent of the by-law in requiring a minimum permeable landscaping is to ensure that sufficient space is provided for drainage, limiting impact on neighbouring properties.

Based on a site visit conducted by staff, Staff are of the opinion that a sufficient amount of open landscaping remains in the front yard. In the case of the subject property, the existing driveway leads to the dwelling's two car garage and includes a minimal portion that is intended to be used as a walkway to the rear yard which is reflected in the overall stonework and design. The existing site configuration is supportable due to the abundance in permeable materials across the site. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the by-law.

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

Variance 1 is requested to permit an existing driveway width which exceeds the requirement that is set out in the Zoning By-law. The applicant is seeking to increase their driveway width by 2.03 metres (6.66 feet). The expanded driveway width at this capacity is not considered to facilitate parking of additional vehicles. The widened driveway does not detract from the streetscape visually as ample permeable features remain on the property. Subject to the recommended conditions of approval, Variance 1 is desirable for appropriate development of the land.

Variance 2 is requested to permit a permeable landscaping strip of 0.36 metres abutting property line whereas the by-law requires a minimum permeable landscaping strip of 0.6 metres (1.97 ft) abutting property lines. The intent of providing a permeable landscaping strip is to ensure that the front yard is not dominated by hardscaping and that permeable surfaces are provided for drainage. The existing site configuration allows for a more expansive use of hardscaping as landscape features are largely maintained in the front yard. Uniformly, it is not considered to negatively impact drainage on site. Subject to the recommended conditions of approval, Variance 2 is considered desirable for the appropriate development of the land.

### 4. Minor in Nature

Given the irregular shape of the lot, the requested variance to permit an existing driveway width of 8.74 metres (28.67 feet) is not considered to facilitate the excessive parking of vehicles. The widened driveway is not considered to have negative impacts on drainage on site or off site. Subject to Staff's recommendations, Variance 1 is considered minor in nature.

The request to permit a 0.36 metre permeable landscaping strip abutting the side lot line is not considered to create drainage concerns as the front yard is not predominantly dominated by hardscaping and maintains a sufficient amount of permeable surface area. Subject to Staff's recommendations, Variance 2 is considered minor in nature.

Respectfully Submitted,

Aferdita Dzaferouska

Aferdita Dzaferovska, Planning Technician

APPENDIX A – Site Visit Photo



APPENDIX B : Site Sketch

