



Report Committee of Adjustment

Filing Date: September 18, 2023

Hearing Date: December 19, 2023

File: A-2023-0287

**Owner/
Applicant:** Avtar Singh Nanra, Davinder Kaur Mankoo

Address: 37 Possession Crescent

Ward: 10

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2023-0287 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. The Owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the City's road allowances; and
 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:

This application was previously circulated at the November 14 Committee of Adjustment hearing with the following variances:

1. To permit an 8.2m wide driveway whereas the by-law permits a maximum driveway width of 7.32m;
2. To provide 0.0m of permeable landscaping adjacent to the side lot line whereas the by-law requires a minimum 0.6m wide permeable landscape strip adjacent to the side lot line.

During that time, the homeowner has provided city staff with a revised site plan and has remedied existing site conditions to install a permeable landscape strip as depicted on the site plan. The landscape strip consists of grass which is considered appropriate. As a result, variance 1 has been amended and variance 2 is no longer required.

Existing Zoning:

The property is zoned 'Residential Single Detached E – Special Section 2459 (R1E-15.2-2459)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

3. To permit a driveway width of 8.0 metres whereas the By-law permits a maximum driveway width of 7.32 metres.

Current Situation:

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

The subject property is designated as 'Residential' in the Official Plan and 'Executive Residential' in the Vales pf Humber Secondary Plan (Area 50). The requested variance has 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

Variance 1 seeks to permit an existing driveway width of 8.0 metres whereas the By-law permits a maximum driveway width of 7.32 metres. The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and to limit an excessive amount of vehicles that can be parked in front of the dwelling.

The portions of the existing driveway that were widened consist of concrete and are not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. While the driveway does not maintain the full front yard requirements, the existing conditions of the driveway is not out of character for the area. Following the staff site visit, staff are of the opinion that the current layout of the driveway does not allow an excessive number of cars to be parked in front of the dwelling. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

To permit a driveway width of 8.0 metres whereas the By-law permits a maximum driveway width of 7.32 metres. The total existing driveway width is 0.68m wider than what the by-law permits for this property. Staff recommend that the approval of Variance 1 be for a maximum driveway width of 7.6m. Therefore, the driveway would be 0.37 wider than what the by-law permits. a condition of approval is provided that the must obtain a Road Occupancy and Access Permit from the City of Brampton's Road

Maintenance and Operations Section for any construction of works within the City's road allowances. Subject to the recommended conditions of approval and revised allowable width, Variance 1 is desirable for the appropriate development of the land.

4. Minor in Nature

Given the driveway shape and configuration which connects to the walkway leading to the front entrance of the dwelling, the requested variance to permit an existing driveway width is not considered to facilitate an excessive number of vehicles to be parked in front of the dwelling. The widened driveway is not anticipated to have negative impacts on drainage. The requested variance is considered minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

A large, two-story house with a stone and brick exterior, a dark roof, and a two-car garage. The house features arched windows and a central entrance with a small porch. A tree is visible on the left side of the property.