



Report Committee of Adjustment

Filing Date: December 20th, 2023

Hearing Date: January 23rd, 2023

File: A-2023-0373

Owner/

Applicant: AHMED MEGHANI / ISMATULLAH AMIRI

Address: 51 Nasmith Street

Ward: WARD 7

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2023-0373 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 Owner 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 allowance;
 3. That the permission for a maximum driveway width of 8.1m be limited to the portion of the driveway located on the subject property and the driveway shall not be widened on municipal property; 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:

Existing Zoning:

The property is zoned 'Residential Single Detached B(3) – R1B(3) Special Section 182', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 8.1 metres, whereas the By-law permits a maximum driveway width of 6.71 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 'Low Density Residential 1' in the Bramalea Secondary Plan (Area 3). 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

The variance request seeks to permit a constructed driveway width of 8.1 metres, whereas the by-law permits a maximum driveway width of 6.71 metres. The intent of the by-law in regulating the driveway width is to ensure that the driveway does not dominate the front yard landscaped area and/or allow for an excessive number of vehicles to be parked in front of the dwelling and to ensure that sufficient space is provided for drainage while making sure that drainage on adjacent properties are not impacted.

The widened south portion of the existing driveway is not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. While the driveway does not meet zoning requirements the existing conditions of the driveway are not out of character for the area. Furthermore, following a 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 nor are staff of the opinion that the widening negatively impacts drainage on adjacent properties.

Conditions of approval have been added to ensure that the intent of the Zoning By-law are maintained. Subject to these recommended 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

The variance is requested to bring existing site conditions into conformity with the Zoning By-law requirements. Given adjacent permeable surfaces, and the inability for an excessive number of cars to be parked in front of the dwelling, the variance is not considered to have negative impacts to the property or adjacent properties. A condition of approval is recommended that the permission for a maximum driveway width of 8.1m be limited to the portion of the driveway located on the subject property and the driveway shall not be widened on municipal property. Subject to the recommended conditions of approval, the variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance to allow an increase in driveway width is not considered to create or facilitate any negative impacts. A sufficient amount of open landscaping is retained on the property allowing for adequate drainage. Subject to the recommended conditions of approval, the variance is deemed minor in nature.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

Appendix A:



Appendix B:

