



Report Committee of Adjustment

Filing Date: November 28, 2023

Hearing Date: January 23, 2024

File: A-2023-0379

**Owner/
Applicant:** Bidisha Sengupta/
Ravinder Singh

Address: 51 Sutter Avenue

Ward: WARD 2

Contact: Ramsen Yousif, Development Planner

Recommendations:

That application A-2023-0379 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the revised sketch (Appendix A) attached to the Notice of Decision;
 2. That a maximum driveway width of 7.24m (23.75 ft.) be permitted in accordance with the revised concept plan (Appendix A);
 3. That the extended portion of the driveway shall not be parked or driven upon at any time by the whole or a part of the motor vehicle; 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 C (1)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.77 metres, whereas the by-law permits a maximum driveway width of 6.71 metres; and
 - Note: A revised sketch was provided by the applicant depicting a proposed reduction to the total driveway width. The requested variance is now revised to permit a driveway width of 7.24 metres, whereas the by-law permits a maximum driveway width of 6.71 metres.
2. To permit 0.24 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6m of permeable landscaping abutting the side lot line.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Snelgrove-HeartLake Secondary Plan (Area 1).

The Official Plan identifies policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. In accordance with the Development Design Guidelines found in section 4.2.1.14, one of the key elements for driveway design include lot widths related to attached garages and rear yard garage locations. 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 compliments the house and lot size. Furthermore, the policy ensures that the driveways are designed in such a manner that they complement the overall streetscape aesthetic without compromising drainage.

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

The property is zoned 'Residential Single Detached C (1)', according to By-law 270-2004, as amended.

Variance 1, is requested to permit a driveway width of 7.24 metres (23.8 feet) whereas the by-law permits a maximum driveway width of 6.71 metres (22.02 feet). 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. There is also the intent to limit an excessive amount of vehicles that can be parked in front of the dwelling. Variance 2 is requested to permit 0.24 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6m of permeable landscaping abutting the side lot line. 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.

The existing driveway was widened on both the eastern and western portions of the lot, allowing for a total driveway width of 7.77 metres (25.49 feet) at its widest point which equates to 1.06 metres (3.44 feet) more than what the by-law permits. Following discussions between Planning staff and the applicant, a revised sketch was provided depicting a proposed reduction to the total driveway width.

The requested variance is now revised to permit a driveway width of 7.24 metres, whereas the by-law permits a maximum driveway width of 6.71 metres. 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 should the driveway width be reduced to 7.24 metres. Staff further note that the reduced permeable landscaping only relates to a small portion of the driveway while a majority of permeable landscaping remains in compliance with the by-law. In the case of the subject property, the existing driveway leads to the dwelling's two car garage and includes a minimized wider portion that is intended to be used as a walkway to the rear yard which is reflected in the overall concrete design. The existing site configuration is supportable due to the abundance in permeable materials across the site. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to maintain the general intent of the by-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 proposes an increased driveway width of 0.53 (1.73 ft) from the permitted 6.71m (22 ft) that is currently allowed, as per the Zoning By-law. Staff are in support of permitting the driveway extension with the condition that the parking of additional vehicles in front of the main entrance of the dwelling will not be permitted.

Following staff concerns regarding the initial minor variance amendment for 7.77m, staff actively engaged and collaborated with the applicant. The objective was to address the potential issue of excessive vehicle parking and reduce the opportunity for vehicles to be parked in close proximity to the street tree. Consequently, the proposed width was revised to 7.24m to mitigate these concerns. The applicant worked with staff to amend the original minor variance and submitted a revised sketch indicating a reduction in the proposed extension on the east side of the driveway from 1.52m to 1.00m. Staff is satisfied with the amendment made by the applicant to the driveway extension.

Variance 2 is requested to permit a reduced permeable landscaping strip of 0.24m (0.79 ft) abutting property line whereas the by-law requires a minimum permeable landscaping strip of 0.6m (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 surface is provided for drainage between the driveway and property line. The revised site configuration is supportable given the reinstatement of permeable landscaping on the opposite side of the property along with maintaining a minimum 0.24m (0.79ft) abutting property line.

Subject to the recommended conditions of approval, Variance 1 and Variance 2 are desirable for appropriate development of the land.

4. Minor in Nature

Given the amendment, the requested variance to permit an existing driveway width of 7.24 metres (23.8 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 0.24m (0.79 ft) 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. Furthermore, the majority of the driveway complies with the minimum 0.6m permeable landscape strip requirements. Subject to Staff's recommendations, Variance 2 is considered minor in nature.

Respectfully Submitted,

Ramsen Yousif

Ramsen Yousif, Development Planner, MCIP, RPP

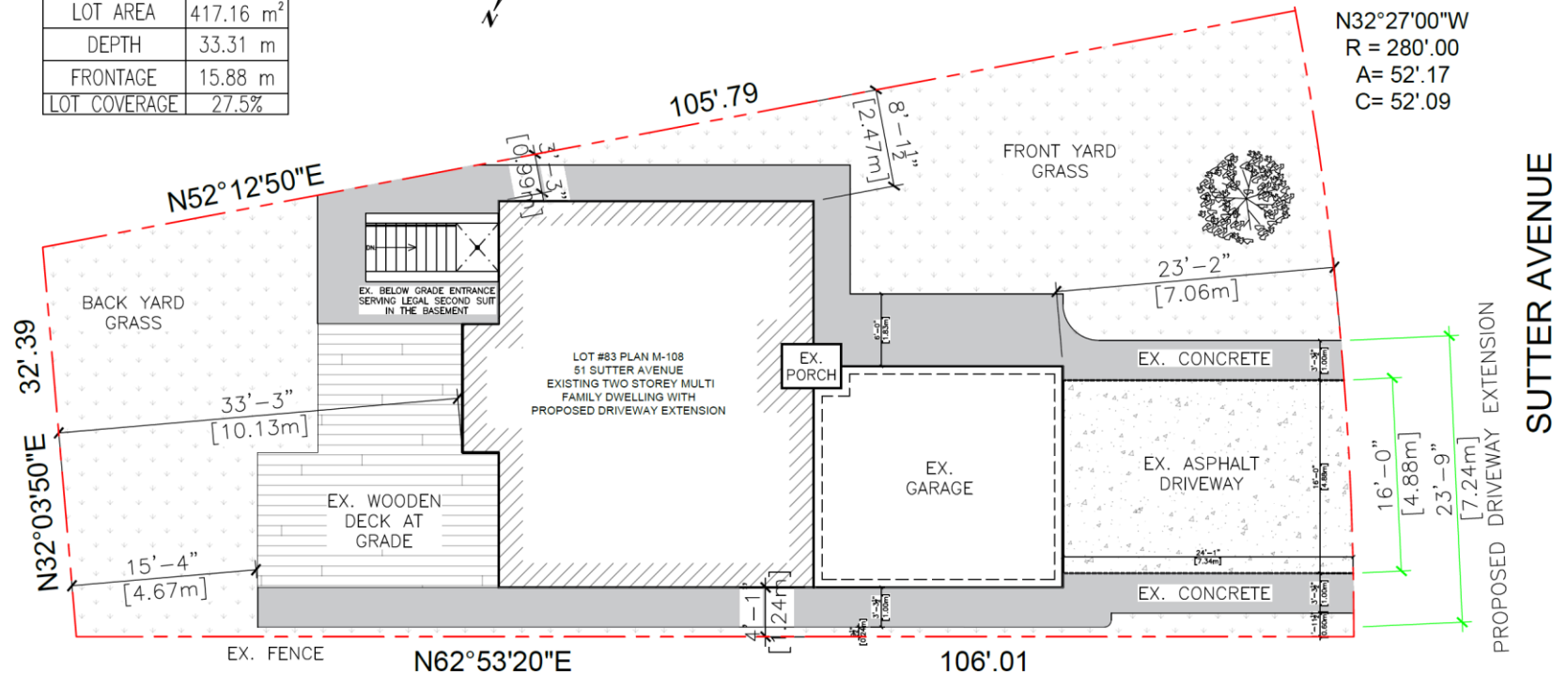
Appendix A – Concept Plan

SITE DATA	
ZONING	R1C(1)
PLAN NUMBER	M-108
LOT AREA	417.16 m ²
DEPTH	33.31 m
FRONTAGE	15.88 m
LOT COVERAGE	27.5%



A101: SITE PLAN
1/8" = 1'-0"

N32°27'00"W
R = 280'.00
A= 52'.17
C= 52'.09



Appendix B – Site Visit Photos

