



Report Committee of Adjustment

Filing Date: January 19th, 2024
Hearing Date: February 20th, 2024

File: A-2024-0013
**Owner/
Applicant:** NASHAT SULAIMAN / LOLOA ALKASAWAT

Address: 51 BIG MOE CRESCENT

Ward: WARD 10

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0013 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 owner reinstate the driveway in accordance with the sketch attached to the Notice of Decision;
 4. That the permission for a maximum driveway width of 5.4m be limited to the portion of the driveway located on the subject property and the driveway shall not be widened on municipal property; and
 5. 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 Semi-Detached – Special Section 1663 (R2A-1663)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 5.4 metres, whereas the By-law permits a maximum driveway width of 4.9 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/Medium Density' in the Bram East Secondary Plan (Area 41). 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 5.4 metres, whereas the by-law permits a maximum driveway width of 4.9 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.

Following discussions with Planning staff, the applicant is proposing to reduce the driveway width from the existing site conditions. The widened portion as shown on the sketch is not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. Furthermore, following a site visit, staff are of the opinion that the proposed layout of the driveway will 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 and that the owner reinstate the driveway in accordance with the sketch attached to the Notice of Decision. 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 permit proposed site conditions into conformity with the Zoning By-law requirements. Given the proposal to re-establish permeable landscaping with 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 5.4m be limited to the portion of the driveway located on the subject property and the driveway shall not be widened on municipal property. Additionally 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 allowance.

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 to be re-established 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:

