



## Report Committee of Adjustment

**Filing Date:** December 9, 2022

**Hearing Date:** March 28, 2023

**File:** A-2022-0400

**Owner/**

**Applicant:** CHIRAG NANALAL SHAH AND KESHA RAMESHBHAI SHAH

**Address:** 23 Gore Valley Trail

**Ward:** WARD 8

**Contact:** Rajvi Patel, Assistant Development Planner

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### **Recommendations:**

That application A-2022-0400 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 failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

Following the Committee of Adjustment decision on January 24, 2023, application A-2022-0400 was deferred to the last hearing of March 2023. The application was deferred due to staff recommendation to allow sufficient time for the applicant to provide an updated sketch addressing staff's concerns regarding the original driveway width and minimum front yard landscaping area. The original variance requested to permit a driveway width of 10.15m (33.30 ft.), resulting in a reduced landscaped area of 11% in the front yard. The application has been revised to reflect a driveway width of 7.92m (26 ft.) and reinstates the landscaping area.

### Existing Zoning:

The property is zoned 'Residential Single Detached C (R1C-1689)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicants are requesting the following variances:

1. To permit a driveway width of 7.92m (26 ft.), whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

**Current Situation:**

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

The subject lands are designated 'Residential' in the Official Plan and 'Low/ Medium Density Residential' in the Bram East Secondary Plan (Area 41). The requested variance is not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies, and is 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 subject lands are currently zoned 'Residential Single Detached C,' Special Section 1689 (R1C-1968), according to By-law 270-2004, as amended.

The variance is requested to permit a driveway width of 7.92m (26 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). 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 that the driveway does not allow for an excessive number of vehicles to be parked in the front of the dwelling.

The revised driveway is 1.21m (3.67 ft.) wider than what the by-law permits. Given the configuration and width of the revised driveway, staff do not anticipate that there would be sufficient space for additional vehicles to park in front of the main entrance of the dwelling. Furthermore, the revised driveway width reinstates permeable landscaping on the property which provides adequate drainage and does not result in the property being dominated by hardscaping. The variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance requesting a wider driveway width will not result in additional vehicles from parking in front of the dwelling. Staff do not anticipate any negative impacts to drainage as permeable landscaping will be reinstated which satisfies concerns from Open Space staff and will not result in the property being dominated by hardscaping. The variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Given the revised driveway shape and configuration which connects to a 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 revised configuration of the driveway results in permeable landscaping being reinstated which is not

anticipated to have negative impacts on drainage nor will the property be dominated by hardscaping. The variance is considered to be minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Assistant Development Planner

## Appendix A – Existing Site Conditions

