



Report Committee of Adjustment

Filing Date: March 21, 2024

Hearing Date: April 23, 2024

File: A-2024-0096

**Owner/
Applicant:**

KAMLESH SHAH, MANISHA SHAH & CHARUDUTT SHAH

Address: 32 Vespahills Crecent

Ward: WARD 8

Contact: Ellis Lewis, Assistant Development Planner

Recommendations:

That application A-2024-0096 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. That drainage on adjacent properties shall not be adversely affected;
 3. That vehicles shall not be parked on extended portions of the driveway; 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 A- Special Section 1881 (R1A-1881)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 13.9 m. (45.60 ft.), whereas the by-law permits a maximum driveway width of 9.14 m. (30 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Springdale Secondary Plan (Area 2). The Official Plan establishes policies that facilitate the growth and maintenance of complete residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. As per Section 4.2.1.14 of the City of Brampton Official Plan, driveways are listed as key design areas. The layout of the driveway should be in such a manner that it complements and is consistent with the overall streetscape aesthetic.

In regard to this specific application, the addition of the ramp on the subject land will assist the City in its commitment to ensure that people of all ages and abilities enjoy the same opportunities to live, work and play. The prevention of new barriers and the reduction and removal of existing barriers for people with disabilities is critical for providing increased accessibility in an economically responsible manner. The City recognizes that enhancing accessibility is supportive of public policy that provides increased opportunities, inclusion and dignity for people of all ages and abilities. The requested variance is not considered to have significant impacts within the context of the Official 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

Variance 1 is requested permit a driveway width of 13.9 m. (45.60 ft.), whereas the by-law permits a maximum driveway width of 9.14 m. (30 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 to prevent the parking of an excessive number of vehicles in front of the dwelling. The request for the extension of the driveway width is due to the addition of a ramp that will assist in the transportation of a family member. The proposed hardscaped area that will be located to the south of existing path will operate as a connection to transport the family member from the ramp, to the motorized vehicle that will be parked in the driveway. The addition of the hardscaping section in the front yard does not support the parking of an excessive number of vehicles in front of the dwelling or significantly impact drainage on the site. Subject to the recommended conditions of approval, the variance that is being sought maintains the general intent of the Zoning By-Law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit an existing driveway width which exceeds the requirement that is set out in the Zoning By-law. While the total width of the driveway does not maintain the maximum requirements of the Zoning By-Law, the materials and design maintain a certain aesthetic quality which

does not detract from the streetscape and limits the number of vehicles to be parked on the driveway. The applicant will have a 4.88 m. (16 ft.) wheelchair ramp constructed in the front yard of the property. The wheelchair will be utilized to assist in the transportation of the family member and it is of importance that the ramp and path of travel be secured by solid material that can withstand most weather conditions. The property continues to maintain a substantial amount of landscaped area at the front of the property. The expanded driveway will not have a negative impact on the streetscape as permeable landscaping features will remain. Subject to the recommended conditions of approval, the requested variance is appropriate for the development of the land.

4. Minor in Nature

The variance that is being requested is to permit an increased driveway width in the front yard, which is required to support the transportation of a family member with a special needs disability. The addition of the hardscaping for this supportive purpose is not considered to be one that will significantly impact the amount of available outdoor amenity space, permeable landscaping or significantly affect drainage on the subject property or adjacent properties. Through the City's encouraged use of the Brampton Accessibility Technical Standards and promotion of universal design principles, this variance is considered to be one that will enhance accessibility on the residential property. The requested variance is considered to be minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Assistant Development Planner

Appendix A:

