



Report Committee of Adjustment

Filing Date: April 18, 2024

Hearing Date: May 21, 2024

File: A-2024-0128

**Owner/
Applicant:** Melba Janet Jeyapaul
Noble Prime Solutions

Address: 6 Pressed Brick Drive

Ward: 1

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0128 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 vehicles shall not be parked on extended portions of the driveway;
 3. That there shall be no additional widening of the driveway between the sidewalk and street curb;
 4. The Applicant/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 allowances; 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 C – Special Section 654 (R2C-654)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 5.59 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 Density 1 – Residential' in the Flowertown Secondary Plan (Area 6). 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. 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 property is zoned 'Residential Semi-Detached C – Special Section 654 (R2C-654)', and further subject to the provisions of the Mature Neighbourhood by-law (69-2023)" according to By-law 270-2004, as amended.

The variance is requested to permit a constructed driveway width of 5.59 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.

The total existing driveway width is 0.69m wider than what the by-law permits for this property. The portion of the existing driveway that was widened consist of concrete and 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 maintain the full front yard requirements, the existing conditions of the driveway is not out of character for the area. Subject to the recommend 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 property is subject to the Mature Neighbourhood Area policies, which include additional standards to ensure that proposed residential additions and replacements in older mature neighbourhoods blend with the existing character. Although these policies don't address driveway width, they highlight that the property is in an area Council deems to have special characteristics warranting consideration. This underscores the importance of maintaining the aesthetic and character of mature neighbourhoods, even in areas where specific driveway regulations may not be outlined.

The variance is requested to permit an existing driveway width which exceeds the requirements of the Zoning By-law. While the total width of the driveway does not maintain the maximum requirements of the Zoning By-Law, the widened driveway does not detract from the streetscape visually as sufficient permeable features remain on the property. Conditions of approval are provided that that vehicles shall not be parked on extended portions of the driveway and that there shall be no additional widening of the driveway between the sidewalk and street curb. Furthermore, the applicant/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 allowances. The property continues to maintain a sufficient amount of landscaped area at the front of the property. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The variance is requested to accommodate the existing widened driveway on the property. Considering the overall design and materials used for the areas of the expanded driveway and walkway, the increased driveway width is not considered to present negative impacts on-site or off-site. The visual impact of the driveway is minimal and not considered to impact drainage. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos

