



Report Committee of Adjustment

Filing Date: February 29, 2024

Hearing Date: June 18, 2024

File: A-2024-0063

**Owner/
Applicant:** Francisco Nirdoshan and Isanka Nanayakkara
Raj Balasundaram

Address: 72 Eldomar Avenue

Ward: 3

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0063 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 Variance 1 to permit a driveway width of 8.43m whereas the by-law permits a maximum driveway width of 6.71m be refused. Staff recommend that a maximum driveway width measuring 8.1m be approved;
 3. That the owner provide Staff with documentation of the final driveway condition inclusive of the width measuring 8.1m and reinstate landscaped areas as depicted in the sketch attached to the Notice of Decision within 60 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
 4. That 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 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 Single Detached B (R1B)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 8.43 metres, whereas the by-law permits a maximum driveway width of 6.71 metres for driveways facing a flankage lot line.

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 Residential' in the Brampton 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.

In relation to the Council Endorsed Brampton Plan 2023, the subject property is designated as 'Community Areas' on Schedule 1A – City Structure and 'Neighbourhoods' on Schedule 2 – Land Use Designations.

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 Single Detached B (R1B)', according to By-law 270-2004, as amended.

The variance is requested to permit a driveway width of 8.43 metres, whereas the by-law permits a maximum driveway width of 6.71 metres for driveways facing a flankage lot line. 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 an excessive number of vehicles to be parked in front of the dwelling.

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 existing driveway measures approximately 8.77m. The requested variance is to permit an existing driveway width which exceeds the requirement that is set out in the Zoning By-law. As illustrated in the Site Plan, the permeable landscaping will be reinstated and the driveway width will be further reduced, alleviating concerns surrounding drainage, while maintaining neighbourhood character and design. Through revisions of the Concept Plan that were completed by the applicant the applicant is seeking to permit an increase to the current driveway width by 1.39m. Furthermore, as the property is a corner lot located along Eldomar Avenue and Erlesmere Avenue, the property will continue to maintain a substantial amount of landscaped area at the front of the property.

A condition has been included in the report, stating that the applicant provide Staff with documentation of the final driveway condition, inclusive of the width measuring 8.1 m. Documentation shall also include the reinstatement landscaped areas as depicted on the Site Plan and be completed within 60 days of the Committee's decision or within the given extended period of time. 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 appropriate for the 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,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos



Appendix B – Proposed Revised Site Plan

