



Report Committee of Adjustment

Filing Date: May 17, 2024
Hearing Date: June 18, 2024

File: A-2024-0173

**Owner/
Applicant:** PARMINDER BATH & HARTARAN KAUR BATH

Address: 36 Love Court

Ward: WARD 10

Contact: Ellis Lewis, Planner I

Recommendations:

That application A-2024-0173 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 provide Staff with documentation of the final driveway condition inclusive of the width measuring 8.09 metres (26.54 feet) and reinstate landscaped areas as depicted in the submitted Site Plan within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
 3. That the owner reinstate the driveway and landscape areas as depicted in the Site Plan and reduced driveway width to 8.09 metres (26.54 feet) shall be maintained, and shall not be removed, but may be repaired when necessary; 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 E- Special Section 2459 (R1E-15.2-2459)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.09 metres (26.54 feet), whereas the by-law permits a maximum driveway width of 7.0 metres (22.97 feet); and
2. To permit 0.30 metres (0.98 feet) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.97 feet) of permeable landscaping abutting the side lot line.

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Executive Residential' in Vales of Humber Secondary Plan (Area 50). 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 variances are 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 requests to permit a driveway width of 8.09 metres (26.54 feet), whereas the by-law permits a maximum driveway width of 7.0 metres (22.97 feet). Variance 2 seeks to permit 0.30 metres (0.98 feet) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 m. (1.97 ft.) of permeable landscaping abutting the side 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 to prevent the parking of an excessive number of vehicles in front of the dwelling. The intent of the by-law in requiring a minimum permeable landscaping is to ensure that sufficient space is provided for drainage, limiting impact on neighbouring properties. With an addition of 1.09 metres (3.58 feet), Staff are of the opinion that the driveway width is not considered to facilitate an excessive number of vehicles being parked in front of the dwelling or significantly impact drainage on the site. Subject to the recommended conditions of approval, Variances 1 and 2 maintain the general intent of the Zoning By-Law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit an existing driveway width which exceeds the requirement that is set out in the Zoning By-law. Through the extension of the driveway width, an additional variance has been requested to reduce the permeable landscaping which abuts the driveway and side yard lot line to 0.30 metres (0.98 feet). Hardscaping material, in the form of stones currently abuts the side lot line and driveway. The applicant communicated with City Staff and stated that the width of the driveway will be reduced to have 0.3 metres (0.98 feet) of permeable landscaping material reinstated, as depicted in the Site Plan. Conditions in the report state that documentation of the final driveway condition must be submitted within 90 days of the Committee's decision and that this area cannot be removed, but must be maintained.

While the total width of the driveway does not maintain the maximum requirements of the Zoning By-law, the materials and design uphold a certain aesthetic quality which does not detract from the streetscape and limits the number of vehicles to be parked on the driveway. 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. A condition has been included in the report, stating that the extended portion of the driveway shall not be driven upon or utilized for the parking of additional vehicles. Subject to the recommended conditions of approval, Variances 1 and 2 are appropriate for the development of the land.

4. Minor in Nature

Variances 1 and 2 are requested to permit an increased driveway width in the front yard of the dwelling. These variances are not considered to be ones that will significantly impact the amount of available outdoor amenity space, permeable landscaping or significantly affect drainage on the subject property or adjacent properties. Due to the size of the concrete addition 1.09 metres (3.58 feet), Variances 1 and 2 are considered to be minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planner I

Appendix A:

