



## Report Committee of Adjustment

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

**File:** A-2024-0182

**Owner/  
Applicant:** **Bineet Pahwa, Gurleen Kaur  
Manpreet Kohli**

**Address:** **23 Coronation Circle**

**Ward:** WARD 2

**Contact:** Emily Mailling, Planning Technician

---

### **Recommendations:**

That application A-2024-0182 is supportable in part, 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 and in accordance with the conditions 2 and 3;
  2. That Variance 1 be refused and that a maximum driveway width of 8.29m be approved;
  3. That Variance 2 to permit 0.0m or permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) of permeable landscaping abutting the side lot line be refused;
  4. That drainage on adjacent properties shall not be adversely affected; and
  5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

### **Background:**

#### Existing Zoning:

The property is zoned 'Residential – Special Section 310 (R1C-310)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.89 metres, whereas a legal noncomplying width of 7.5 metres is permitted; and
2. To permit 0.0 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres 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 'Medium Density Residential' in the Snelgrove-Heart Lake Secondary Plan (Area 1). Variance 1 is not considered to have significant impacts within the context of the Official Plan policies.

Variance 2 requests to permit 0.0 metres of permeable landscaping abutting the side lot line. This does not meet the general intent of the Official Plan as it is not in accordance with the Development Design Guidelines which recognizes key elements of design for residential areas. Landscaping is one of the features that is required.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 seeks to permit an existing driveway width of 8.89m whereas a maximum driveway width of 7.5m is permitted. 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 limit an excessive amount of vehicles that can be parked in front of the dwelling. The applicant is also requesting to permit 0.0m of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.6m of permeable landscaping abutting the side lot line. 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 the removal of the landscaping, staff noticed that there is a substantial amount of hardscaping in the front yard. In order to preserve the ability of proper drainage to occur and remain on the property, Staff recommend the refusal of Variance 2 as it is not considered to maintain the general purpose of the Zoning By-Law.

As per the staff site visit, Staff are of the opinion that the current layout of the lot does not allow an excessive number of cars to be parked in front of the dwelling. Given Staff's recommendation to refuse Variance 2, it is recommended that a maximum driveway width of 8.29 metres be approved, reflecting the reinstating of the 0.6m permeable landscape strip abutting the property line. Subject to the recommended conditions of approval, Variance 1 maintains the general intent and purpose of the by-law.

#### 3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a driveway width of 8.89 metres whereas the by-law permits a maximum driveway width of 7.5 metres. Staff recommend that the approval of Variance 1 be for a maximum driveway width of 8.29 metres. Given the configuration of the driveway and Staff's recommendation, it is not anticipated that there would be sufficient space for additional vehicles to park in front of the main entrance of the dwelling. Subject to the recommended conditions of approval and revised allowable width, Variance 1 is desirable for the appropriate development of the land.

Variance 2 is requested to permit 0.0m of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.6m of permeable landscaping abutting the side lot line. The intent of providing a permeable landscaping strip is to ensure that the front yard is not dominated by hardscaping and that permeable surface is provided for drainage. The existing site configuration is not supportable due to the expansive use of hardscaping on the front yard and lack of permeable materials which may impact adequate drainage on site. Variance 2 is not desirable for the appropriate development of the land.

#### 4. Minor in Nature

Given the driveway shape and configuration which connects to the 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 widened driveway is not anticipated to have negative impacts on drainage subject to Staff's recommendations to reduce the width through the reinstating of the permeable landscaping strip. Variance 1 is considered to be minor in nature.

The request for 0.0m of permeable landscaping between the driveway and side lot line is not seen as minor in nature as the front yard is predominately dominated by hardscaping and there would not be a sufficient amount of landscaping. Variance 2 is not considered minor in nature.

Respectfully Submitted,

*EMailling*

Emily Mailling, Planning Technician

**Appendix A: Site Visit Photos**

