



Report Committee of Adjustment

Filing Date: June 13, 2024

Hearing Date: July 16, 2024

File: A-2024-0223

**Owner/
Applicant:** Virender Rathi and Deepshikha Rathi
Noble Prime Solutions

Address: 49 Possession Crescent

Ward: 10

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0223 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 the maximum permitted driveway width be limited to 8.84m;
 3. 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;
 4. That the owner provide Staff with documentation of the final driveway conditions inclusive of the width measuring 8.84m as depicted in the sketch attached to the Notice of Decision within 60 days of Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
 5. That the proposed reinstatement of the landscaped areas will be permanent, and that the fixtures shall not be removed, but may be repaired when necessary and
 6. 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 F – Special Section 2395 (R1F-13.7-2395)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 9.14m whereas the by-law permits a maximum driveway width of 7.32m.
 - Note: The public notices were circulated with the incorrect driveway width measurement. The applicant is proposing a driveway width measurement of 8.84m which includes a reinstatement of the required 0.6m permeable landscape strip along the side lot line as depicted in the Site Plan attached to the Public Notice.

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 'Executive Residential' in the Vales pf Humber Secondary Plan (Area 50). 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

Variance 1 seeks to permit an driveway width of 9.14 metres whereas the By-law permits a maximum driveway width of 7.32 metres. 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 current driveway conditions feature an existing width of 9.14 metres inclusive of a 0.3m reduction in permeable landscaping along the side lot line. Through initial discussions with the applicant/owner, the current application proposes a driveway width reduced to 8.84m and a reinstatement of permeable landscaping along the side lot line. With an addition of 1.52m, Staff are of the opinion that the driveway width and design is appropriate for the context and is not considered to facilitate an excessive number of vehicles being parked in front of the dwelling or significantly impact drainage on the site. Variance 1 maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit an existing driveway width that exceeds the requirement that is set out in the Zoning By-law. As illustrated in the Site Plan attached to the Public Notice, the permeable landscaping features along the side lot line will be reinstated, alleviating concerns surrounding drainage, while maintaining neighbourhood character and design. Through revisions of the Site Plan that were completed by the applicant, the applicant is seeking to permit an increase of

1.52m greater than what the By-law permits. While the total width of the driveway exceeds the maximum requirements of the Zoning By-Law, the materials and design maintain a certain aesthetic quality which does not detract from the streetscape. The property continues 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 should provide Staff with documentation of the final driveway condition, inclusive of the width measuring 8.84m. Documentation should also include the reinstatement landscaped areas as depicted on the Site Plan and it should be completed within 60 days of the Committee's decision or within the given extended period of time. To ensure that the proposed reinstatement of the landscaped areas will be permanent, a condition has been included in the report stating that the fixtures shall not be removed, but may be repaired when necessary.

Subject to the recommended conditions of approval, Variance 1 is appropriate for the development of the land.

4. Minor in Nature

The requested variance to accommodate the proposed widened driveway maintains intent of the Zoning By-law. The visual impact of the driveway is minimal and not considered to impact drainage. Given the driveway shape and configuration of the driveway, the requested variance 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. The requested variance is considered minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photos

