



Report Committee of Adjustment

Filing Date: June 14, 2024

Hearing Date: July 16, 2024

File: A-2024-0232

**Owner/
Applicant:** Gagandeep Singh Batth and Gurveer Kaur Bathh
Kulwinder Bath

Address: 11 Bookton Street

Ward: 8

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0232 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential - Minister's Zoning Order 171-20', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 8.84 metres, whereas the by-law permits a maximum driveway width of 7.0 metres; and
2. To permit 0.3 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 subject property is designated as 'Residential' in the Official Plan and 'Medium Density Residential' in the Bram East Secondary Plan (Area 41). In relation to the Council approved Brampton Plan, the subject property is designated as "Community Areas" on Schedule 1A – City Structure and "Neighbourhoods" on Schedule 2 – Designations. The Official Plan sets out policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. Specifically, Section 4.2.1.14 provides that one of the key areas of design include driveways. The intent of this policy is to ensure that the design of a residential driveway does not accommodate the parking of an excessive number of vehicles and to ensure the driveways are designed in such a manner that they complement and are consistent with the overall streetscape aesthetic.

The owner is requesting two variances to permit an existing driveway width. The existing widened driveway is in contravention to the City's Development Design Guidelines for residential lots in neighbourhoods as there is minimal landscaped areas within the front yard, and facilitates the parking of an additional motor vehicle within the front entrance. The requested variances 1 and 2 in relation to driveway width extension is not considered to maintain 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 - Minister's Zoning Order 171-20', according to By-law 270-2004, as amended.

Variance 1 is requested to permit a driveway width of 8.84 metres, whereas the by-law permits a maximum driveway width of 7.0 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 the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

Variance 2 is requested to permit 0.3 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. The intent of the by-law in requiring a minimum amount of permeable landscape strip along the side lot line is to ensure that sufficient space is provided for drainage and that the drainage on the adjacent properties are not impacted.

The total existing driveway width is approximately 1.84m wider than what the by-law permits. The additional width is attributable the addition of an existing concrete on the southeast and southwest side of the driveway, in front of the main entrance of the dwelling. The widened driveway is considered to dominate the front yard and facilitate the parking of an additional vehicle (Appendix B) which is contrary to the intent of the by-law. Furthermore, the reduction of the landscaped area on the site lot line is not considered desirable in accordance with the City's Development Design Guidelines for residential neighbourhoods. Cumulatively, the hardscaping on the property creates an abundance of hard surfacing throughout the property which can potentially lead to drainage issues and contributes to a sense that the front of the property is dominated by hard surface. The requested variances are not considered to maintain the general intent and purpose of the Zoning By-law

3. Desirable for the Appropriate Development of the Land

The variances are requested to permit an existing driveway width which exceeds the requirements of the Zoning By-law and the reduction of permeable landscaping abutting the side lot line. The widened driveway facilitates the parking of additional vehicles and is considered to negatively impact the streetscape. The widened driveway results in an abundance of hard landscaping which may negatively impact drainage on the property. Open Space staff have reviewed the application and advised that a minimum 1m offset is required from the driveway edge to the existing City street tree. Any widening is to taper around the existing street tree. City Forestry staff will not issue a permit to remove a City street tree.

The requested variance 2 results in the reduction of the landscaped area along the side lot line, which is intended to visually function as a break between hardscaped areas in order to frame the neighbourhood and reduce the impact of driveways on the streetscape. The loss of the landscaped area along the side lot line forms an uninterrupted pattern of hardscaping that interrupts and affects the character and design of the neighbourhood and streetscape. It is generally the desire of the City to balance driveways with landscaping to function as distinguished components of the streetscape, particularly with paired driveways. Furthermore, it is generally the desire of the City to maintain a driveway width that is parallel to the width of the garage.

The requested variances are generally not considered to maintain the general intent and function of the subject property, adjacent properties, and the neighbourhood. The requested variances are not considered desirable and appropriate development of the land.

4. Minor in Nature

The requested variances are seeking relief from driveway width requirements and permeable landscaping requirements. The requested variances seek to increase the width of the driveway by 1.84 metres and reduce permeable landscaping along the side lot line by 0.3 metres. The requested variances reduce the amount of available landscaped area in a manner that is considered undesirable for the subject property and facilitates additional vehicular parking.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Appendix A – Site Visit Photo



Appendix B – Aerial Photos

