



Report Committee of Adjustment

Filing Date: June 21, 2024
Hearing Date: August 20, 2024

File: A-2024-0243

**Owner/
Applicant:** RITA ARORA
MANPREET KOHLI

Address: 79 LONGEVITY ROAD

Ward: WARD 6

Contact: Arlene Samuel, Student Planner

Recommendations:

That application A-2024-0243 is refused:

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached' (R1E-11.6-2505), according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway of 11.42 metres (37.47 feet), whereas the by-law permits a maximum driveway width of 7.0 metres (22.97 feet).
2. To permit 0 metres (0 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.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Huttonville Secondary Plan SPA29(b). The subject property is also designated as 'Community Areas' and 'Urban Centres' (Schedule 1A – City Structure) and 'Neighbourhoods' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

Section 4.2 of the Official Plan provides policies on Residential development. In particular, section 4.2.1.14 (iii) requires driveway design to relate to lot width and be sized accordingly to function as a driveway surface leading to a garage. When a garage is provided, it is considered to assist in providing the required number of parking spaces for the property and the driveway is the logical means to get to the garage. The design of the driveway should be sized and configured accordingly and not in a manner so as to be the primary parking space(s). In addition, the objective of Residential Design Official Plan Policy 4.2.7 is to avoid excessive parking of vehicles in the front yard on driveways and to promote a realistic driveway design that is complementary to the house and lot size. The driveway design for this property is capable of allowing excessive parking in the front yard on the driveway and is not considered to be a realistic design relative to the house and lot size.

The requested variances are the current site conditions of the property and the application, as presented is intended to legalize the site conditions. The objective of the Residential Design Official Plan Policy 4.2.7 is to avoid excessive parking of vehicles in the front yard on the driveway and to promote a realistic driveway design that is complementary to the house and lot size. The existing driveway conditions are capable of allowing excessive parking in the front of the property, which will be in addition to the parking available in the enclosed garage. Therefore, the requested variances are 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 subject lands are currently zoned "Residential Single-Detached," (R1E-11.6-2505), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a driveway of 11.42 metres (37.47 feet), whereas the by-law permits a maximum driveway width of 7.0 metres (22.97 feet). Variance 2 is requested to permit 0.0 metres (0 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.

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 for an excessive number of vehicles to be parked in the front of the dwelling. The intent of the by-law in requiring a minimum permeable landscape strip is to ensure that sufficient space is provided for drainage and that the front yard is not dominated by hardscaping.

The existing driveway was widened for a total width of 11.47m which is 4.42 m wider than what the by-law permits. The widened area of the driveway leads directly to the main entrance of the dwelling and allows for vehicles to be parked across the width of the driveway, which is contrary to the intent of the by-law. The removal of landscaping, combined with the adjacent property's driveway and elimination of permeable landscaping created an abundance of hardscaping along the neighbouring side lot line which may prevent adequate drainage. As a result, the requested variances do not maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances requesting a wider driveway and reduced permeable landscaping allow for additional vehicle parking in front of the dwelling, which diminishes the ability to provide front yard landscaping and negatively impacts the streetscape's visual character. The widened driveway leads to an excess of hard landscaping, which may adversely affect property drainage. Together, these variances create an imbalance in permeable landscaping on the property and allows for additional parking of vehicles. Therefore, the increased driveway width and reduced permeable landscaping are not considered desirable or the appropriate development of the land.

4. Minor in Nature

The variance to allow an increase in driveway width is considered to facilitate the ability for multiple vehicles to be parked in the front of the main entrance of the dwelling in a manner that is deemed excessive. Variance 2 to permit 0.0 metres of permeable landscaping abutting the side lot line represents a substantial change with potential negative drainage impacts as most of the front yard has hardscaping. The variance is not deemed minor in nature.

Respectfully Submitted,

Arlene Samuel

Arlene Samuel, Student Planner

Appendix A: Site Visit Photos

