



Report Committee of Adjustment

Filing Date: June 27, 2024
Hearing Date: August 20, 2024

File: A-2024-0250

**Owner/
Applicant:** **MANDINDER CHANNE,
PAVNEET KAUR**

Address: **124 MOFFATT AVE**

Ward: WARD 4

Contact: Taranjit Mangar, Student Planner

Recommendations:

That application A-2024-0250 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;
 2. That Variance 2 to permit 0.30 metres of permeable landscaping abutting the eastern side lot line be approved and that the 0.0m abutting the western side lot line be refused;
 3. That the owner provide Staff with documentation of the final driveway conditions inclusive of the width measuring 7.17 metres 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;
 4. That the proposed reinstatement of the landscaped areas will be permanent, and that the landscaping shall not be removed, but may be repaired when necessary;
 5. 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 2551 (R1E-2551)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.17 metres (23.5 ft), whereas the by-law permits a maximum driveway width of 7.0 metres (23 ft);
2. To permit 0.30 metres of permeable landscaping abutting one side lot line and 0.0 metres abutting another side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines.

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Brampton Flowertown Secondary Plan (Area 6). 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.

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 maintain the general intent and purpose of the Official Plan.

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

Variance 1 requests to permit a driveway width of 7.17 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 to prevent the parking of an excessive number of vehicles in front of the dwelling. With an addition of 0.17 metres, 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.

The applicant is also requesting to permit 0.30 metres of permeable landscaping abutting one side lot line and 0.0 metres abutting the other side lot line, whereas the by-law requires a minimum of 0.6

metres of permeable landscaping abutting the side lot line. The intent of the bylaw in requiring 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 that is considered to be excessive. In order to preserve the ability of proper drainage to occur and remain on the property, Staff recommend that the proposed reinstatement of the landscaped areas will be permanent, and that the landscaping shall not be removed, but may be repaired when necessary. Subject to the recommended conditions of approval, Variance 2 maintains the general purpose of the Zoning By-Law.

As per the staff visit, Staff are of the opinion that the current layout of the lot does allow an excessive number of cars to be parked in front of the dwelling. Staff's recommendation is that the grass portion in the front yard be reinstated as per the sketch attached to the Notice of Decision. This would reflect an appropriate driveway width and incorporate the reinstatement of at least 0.3 metres of permeable landscaping abutting the eastern property line and require the full reinstatement of permeable landscaping along the western property line. Subject to the recommended conditions of approval, Variance 1 and 2 maintain the general intent and purpose of the by-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are to permit a driveway width which exceeds the requirement that is set out in the Zoning By-law and a reduction to the width of permeable landscaping abutting the side lot line. 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 and limits the number of vehicles to be parked on the driveway. The property has an appropriate amount of landscaped area proposed. The expanded driveway will not have a negative impact on the streetscape as permeable landscaping features will be reinstated. Subject to the recommended conditions of approval, Variance 1 and 2 are appropriate for the development of the land.

4. Minor in Nature

The variances are requested to permit an increased driveway width in the front yard of the dwelling. This variance is not considered to be one 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 (0.17 metres), the requested variance is considered to be minor in nature.

Respectfully Submitted,

Taranjit Mangar

Taranjit Mangar, Student Planner

Appendix A :

