



Report Committee of Adjustment

Filing Date: July 19th, 2024
Hearing Date: August 20th, 2024

File: A-2024-0269

**Owner/
Applicant:** Devinder Mann & Narinder Mann
Technoarch Inc.

Address: 25 Provost Trail

Ward: WARD 6

Contact: Marcia Razao, Planning Technician

Recommendations:

That application A-2024-0269 be refused

Background:

The applicant is seeking variances to allow the current conditions of the driveway to remain. However, city staff informed the applicant that substantial modifications in terms of reductions to the width of the driveway would be necessary to gain staff support. In response, the applicant submitted a revised site plan (Appendix B) proposing to restore 0.3 meters of permeable landscaping, reducing the driveway width to 10.8 meters. Despite this adjustment, staff believes the proposed reduction is inadequate and fails to meet the four tests for Minor Variance.

Existing Zoning

The property is zoned 'Residential Single Detached Special Section 2430 (R1F-10.4 -2430)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit 0.0 metres of permeable landscaping abutting the side lot lines, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines; and
2. To permit a driveway width of 11.4 metres whereas the by-law permits a maximum driveway width of 7 metres.

Current Situation:

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

The property is designated 'Residential' in the 2006 Official Plan and 'Low/Medium Density Residential' in the Bram West Secondary Plan (Area 40d). The subject property is designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhood' (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. This is related to the design objectives outlined within Section 4.2.7 of the City of Brampton's Official Plan which aims to avoid the excessive parking of vehicles in the front yard and on driveways, and to promote a driveway design that is complementary to the house and lot size. The driveway design for this property is capable of allowing excessive parking on the driveway. The requested variances do not maintain the general intent and purpose of the Official Plan. The variances do not 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 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. 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. Variance 2 is requests to permit a driveway width of 11.4 metres, whereas the by-law permits a maximum driveway width of 7 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.

Variance 1 represents the eliminations of permeable landscaping abutting the side lot line while variance 2 represents an increase of the permitted driveway width by 4.4 metres. The increased driveway width combined with the elimination of permeable landscaping facilitates additional vehicular parking at the front of the property. Furthermore, the removal 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. The requested variances are not considered to maintain the general intent and purpose of the Zoning By-law. The residents did try to work with city staff to provide 0.3 metres of permeable landscaping which would

change the driveway width to 10.9 metres this can be seen in the revised site plan attached. However, in city staff's opinion that is not sufficient to ensure it maintains the general intent and purpose of the zoning bylaw.

3. Desirable for the Appropriate Development of the Land

The subject property is located within an established low density residential neighbourhood that is largely characterized by single-detached dwellings with garages and driveways maintaining frontage onto the street. The proposed variances are considered to significantly reduce the amount of landscaped area on the subject property.

The proposed driveway extension functions in contravention of the City's Development Design Guidelines for residential neighbourhoods, which provides guidelines for neighbourhoods character, design, and streetscapes among other elements. The requested variances result in limiting the amount 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 Page 3 of 4 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 4.4 metres and reduce permeable landscaping along the side lot line by 0.6 metres. The requested variances reduce the amount of available landscaped area in a manner that is considered undesirable for the subject property and facilitate additional vehicular parking. The requested variances are not considered minor in nature.

Respectfully Submitted,

Marcia Razao

Marcia Razao, Planning Technician

Appendix A



Appendix B – Revised Site Plan

