



Report Committee of Adjustment

Filing Date: August 17th, 2024
Hearing Date: September 17th, 2024
File: A-2024-0147
**Owner/
Applicant:** KHURRAM SYED & KASHIF SYED
Address: 9 LLOYD SANDERSON DRIVE
Ward: WARD 4
Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0147 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential Semi Detached (R2A)' according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 10.97 metres, whereas the by-law permits a maximum driveway width of 7.0 metres.

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 1' in the Credit Valley Secondary Plan (Area 45).

The subject property is also designated as 'Community Areas' 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 variance is 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 variance is not considered maintain the general intent and purpose of the Official Plan.

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

The variance is requested to permit a driveway width of 10.97 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 that the driveway does not allow for an excessive number of vehicles to be parked in the front of the dwelling. The widened area of the driveway leads directly to the main entrance of the dwelling and allows for several vehicles to be parked across the width of the driveway, which is contrary to the intent of the by-law.

The removal of the landscaped area directly in front of the dwelling is not considered desirable in accordance with the City's Development Design Guidelines for residential neighbourhoods. The applicant prepared a revised concept plan depicting the reinstatement of permeable landscaping along the side lot lines. Despite the proposed driveway configuration, staff remain of the opinion that 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.

As a result, the requested variance does not maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance is requested to permit existing site conditions and bring them into conformity with Zoning By-law requirements. The variance facilitates a situation where the front yard of the property can be dominated with vehicles and contribute to increased runoff due to the lack of impervious surfaces, having negative impacts on neighbouring properties. Subsequently, the loss of the landscaped area in front of the dwelling forms an uninterrupted pattern of hardscaping that interrupts and affects the character and design of the neighbourhood and streetscape.

The variance is not considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance to allow an increased driveway width and a reduced permeable landscaping are considered to facilitate negative visual and functional impacts. The proposal lacks sufficient permeable and open landscaping on the property allowing for inadequate drainage and permits the ability for multiple vehicles to be parked. The variance is not deemed minor in nature.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

Appendix A:



Appendix B:

