



## Report Committee of Adjustment

**Filing Date:** August 17<sup>th</sup>, 2024  
**Hearing Date:** September 17<sup>th</sup>, 2024

**File:** A-2024-0298

**Owner/  
Applicant:** Vivek Bhardwaj & Monika Bhardwaj  
Pavneet Kaur (Noble Solutions Ltd)

**Address:** 33 Owlridge Drive

**Ward:** WARD 5

**Contact:** Marcia Razao, Planning Technician

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### **Recommendations:**

That application A-2024-0298 be refused

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### **Background:**

#### Existing Zoning

The property is zoned 'Residential Extended Zone– Special Section 1295 (R2B- 1295)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a maximum driveway width of 8.10 metres Whereas, the by-law permits a maximum driveway of 5.5 metres. Staff note that the wording of the variance identified on the public notice mentions a variance "to permit a maximum driveway width of 5.99m". however the sketch attached to the public notice is accurate and references a total driveway width of 8.10m.

### **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 Density Residential' in the Credit Valley 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.

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.

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

The variance is to requests to permit a driveway width of 8.10 metres, whereas the by-law permits a maximum driveway width of 5.5 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 which can be seen in Appendix A.

The Variance represents an increase of the permitted driveway width by 2.6 metres. The increased driveway width facilitates additional vehicular parking at the front of the property. 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. In addition, the current layout does not provide 1.5 metre clearance which is needed for the City's street lighting pole.

## 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 semi-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. 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 variance is generally not considered to maintain the general intent and function of the subject property, adjacent properties, and the neighbourhood. The requested variance is not considered desirable and appropriate development of the land.

4. Minor in Nature

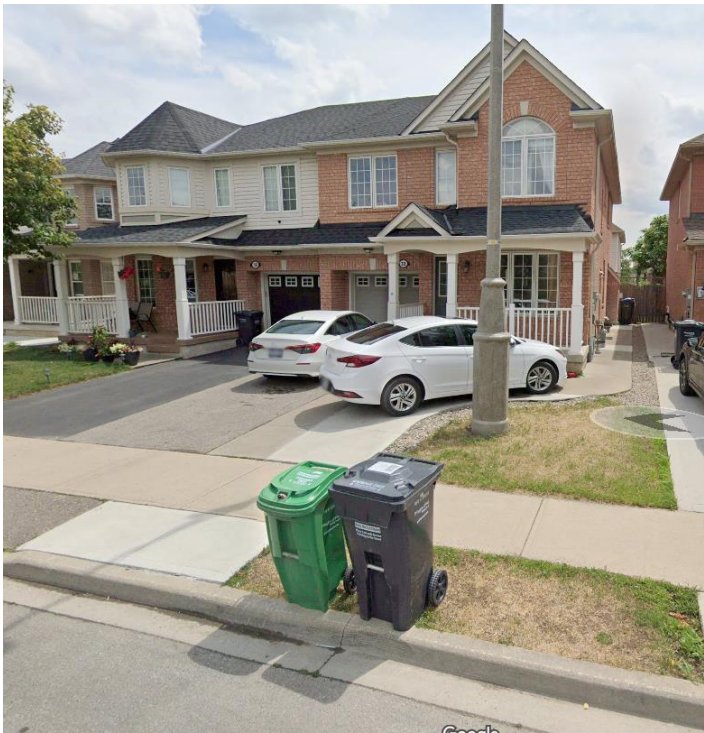
The requested variances are seeking relief from driveway width requirements seeking an increase of 2.6 metres. The requested variances reduce the amount of available landscaped area in a manner that is considered undesirable for the subject property and facilitate additional vehicular parking. The requested variances are not considered minor in nature.

Respectfully Submitted,

*Marcia Razao*

Marcia Razao, Planning Technician

**Appendix A**



**Appendix B – Site Photos**

