



Report Committee of Adjustment

Filing Date: June 6, 2024
Hearing Date: September 17, 2024

File: A-2024-0205

**Owner/
Applicant:** SUDESH SHARMA & MINAKSHI SHARMA

Address: 2 Anatolia Street

Ward: WARD 10

Contact: Ellis Lewis, Planner I

Recommendations:

That application A-2024-0205 is supportable, 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 the owner reinstate the permeable landscape areas as depicted in the submitted Site Plan within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
 3. That the hardscaping and softscaping that is located within the daylight triangle be removed to the satisfaction of the Traffic Services and Open Space Departments within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services; and
 4. 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 2459 (R1E-15.2-2459)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 8.0 metres (26.25 feet), whereas the by-law permits a maximum width of 7.0 metres (22.97 feet).

Current Situation:

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

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 property is designated 'Residential' in the Official Plan and 'Executive Transition Residential' in the Vales of Humber Secondary Plan (Area 50). 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 variance is not considered to have significant impacts within the context of the Official Plan policies and is considered to maintain the general intent and purpose of the Official Plan.

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

Variance 1 is requested to permit a driveway width of 8.0 metres (26.25 feet), whereas the by-law permits a maximum driveway width of 7.0 metres (22.97 feet). 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. Due to the front entrance of the home being located on the eastern portion of the lot, Staff are of the opinion that the driveway width is not considered to facilitate an excessive number of vehicles being parked near the front entrance of the dwelling or significantly impact drainage on the site. Subject to the recommended conditions of approval, Variance 1 maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is being sought to permit a driveway width which exceeds the requirement that is set out in the Zoning By-law. The lot has been extended but the applicant has submitted a Site Plan, illustrating that the 0.6 metres of permeable landscaping abutting the driveway and side lot line will be reinstated. Furthermore, the owner of the home expanded the driveway into the City's limits. This can significantly impair the vision of motorists and pedestrians as the home is located on a corner lot. Conditions have been included in the report, stating that the removal of the identified hardscape features and permeable landscaping should occur within 90 days of the Committee's decision.

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. The property continues to maintain a substantial amount of landscaped area at the front of the property. The expanded driveway will not have a negative impact on the streetscape as permeable landscaping features will remain and access to the front entrance will not be reduced. Subject to the recommended conditions of approval, Variance 1 is appropriate for the development of the land.

4. Minor in Nature

The requested variance is being sought 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 permeable landscaping or significantly affect drainage on the subject property or adjacent properties. The submitted Site Plan illustrates the reinstated grass along the western section of the lot. As the front entrance of the home is located on the northwest corner of Mcvean Drive and Anatolia Street, access will not be affected because of the driveway expansion. The requested variance is considered to be minor in nature.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Ellis Lewis".

Ellis Lewis, Planner I

Appendix A:

