



Report Committee of Adjustment

Filing Date: September 14th, 2024
Hearing Date: October 15th, 2024

File: A-2024-0259

**Owner/
Applicant:** Yunusbhai Gafur Mansur
Shivang Tarika (Rely Solution)

Address: 336 Father Tobin Road

Ward: WARD 9

Contact: Marcia Razao, Planning Technician

Recommendations:

That application A-2024-0259 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 a portion of the permeable landscaping and driveway as depicted in the sketch attached to the Notice of Decision;
 3. That drainage on adjacent properties should not be adversely affected;
 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached -Special Section 1928 (R1F-11.6-1928)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit 0.45 metres of permeable landscaping abutting the site lot line, whereas the by-law requires a minimum 0.60 metres of permeable landscaping abutting the site lot line.

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 1' in the Springdale Secondary Plan (Area 2). 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. The requested variances are 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

The variance seeks to permit 0.40 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. Staff are of the opinion that the reduction of permeable landscaping is not considered to facilitate an excessive number of vehicles being parked in front of the dwelling or significantly impact drainage on the site. Subject to the recommended conditions of approval the variance maintains the general intent of the Zoning By-Law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit a reduction in permeable landscaping that is set out in the Zoning by-law. The property continues to maintain a substantial and appropriate amount of permeable landscaped area as the variance is requested for only one side of the dwelling due to this staff are of the opinion that this will not have a negative impact on the streetscape as permeable landscaping features will remain. Subject to the recommended conditions of approval, the variance is appropriate for the development of the land.

4. Minor in Nature

The variance is requested to permit a reduction to the permeable landscaping. 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 reduction (0.20 metres), the requested variance is considered to be minor in nature.

Respectfully Submitted,

Marcia Razao

Marcia Razao, Planning Technician

Appendix A: Site Photos

