



Report Committee of Adjustment

Filing Date: September 13, 2024

Hearing Date: December 10, 2024

File: A-2024-0362

**Owner/
Applicant:** Jaspreet Singh, Jasbeer Singh & Banvir Kaur
Harjinder Singh / MEM Engineering Inc.

Address: 12 Loomis Road

Ward: WARD 6

Contact: Simran Sandhu, Planner I

Recommendations:

That application A-2024-0362 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner provide Staff with documentation of the final driveway conditions inclusive of the width measuring 7.70 metres as depicted in the sketch attached to the Notice of Decision within 60 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 proposed reinstatement of the landscaped areas will be permanent, and that the landscaping shall not be removed, but may be repaired when necessary;
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 F – Special Section 2452 (R1F-2452)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.70 metres, whereas the by-law permits a maximum driveway width of 7.0 metres; and,
2. To permit 0.30 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.

Current Situation:

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

The subject property is designated as 'Residential' in the Official Plan and 'Low/Medium Density Residential' in the Mount Pleasant Secondary Plan (Area 51).

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 identifies policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. In accordance with the Development Design Guidelines found in section 4.2.1.14, one of the key elements for driveway design includes lot widths related to attached garages and rear yard garage locations. The intent of this policy is to ensure that the design of a residential driveway does not accommodate the parking of an excessive number of vehicles and compliments the house and lot size. Furthermore, the policy ensures that the driveways are designed in such a manner that they complement the overall streetscape aesthetic without compromising drainage.

The requested variances have no impact within the context of the policies of the Official Plan and Secondary Plan and maintain the general intent and purpose of the Official Plan.

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

Variance 1 requests to permit a driveway width of 7.70 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 to prevent the parking of an excessive number of vehicles in front of the dwelling. With an addition of 0.70 metres, Staff are of the opinion that the driveway width is not considered to facilitate an excessive number of vehicles being parked in front of the dwelling or significantly impact drainage on the site.

Variance 2 requests to permit 0.30 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.60 metres of permeable landscaping abutting the side lot line. The

intent of the bylaw in requiring minimum permeable landscaping is to ensure that sufficient space is provided for drainage, limiting impact on neighbouring properties. With the removal of the landscaping, staff noticed that there is a substantial amount of hardscaping in the front yard that is considered to be excessive. In order to preserve the ability of proper drainage to occur and remain on the property, Staff recommend that the proposed reinstatement of the landscaped areas will be permanent and that the landscaping shall not be removed, but may be repaired when necessary.

Staff's recommendation is that the grass portion in the front yard be reinstated as per the sketch attached to the Notice of Decision. This would reflect an appropriate driveway width and incorporate the reinstatement of at least 0.3 metres of permeable landscaping abutting the western property line and require the full reinstatement of permeable landscaping along the eastern property line. Subject to the recommended conditions of approval, Variances 1 and 2 maintain the general intent and purpose of the by-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are to permit a driveway width which exceeds the requirement that is set out in the Zoning By-law and a reduction to the width of permeable landscaping abutting the side lot line. 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 and limits the number of vehicles to be parked on the driveway. The property has an appropriate amount of landscaped area proposed. The expanded driveway will not have a negative impact on the streetscape as permeable landscaping features will be reinstated.

Subject to the recommended conditions of approval, Variance 1 and Variance 2 are desirable for appropriate development of the land.

4. Minor in Nature

The requested variances are to permit an increased driveway width in the front yard of the dwelling and reduced permeable landscaping. Given that there is a substantial amount of hardscaping in the front yard, staff recommend that a substantial amount of permeable landscaping be reinstated as shown on the sketch attached to the notice of decision. The variances are not considered to significantly impact the drainage on the subject property or adjacent properties or allow the excessive parking of vehicles. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,



Simran Sandhu, Planner I