



Report Committee of Adjustment

Filing Date: September 10, 2024

Hearing Date: December 10, 2024

File: A-2024-0344

**Owner/
Applicant:** JASWINDER SINGH KHOSA & JAGDEEP KAUR

Address: 19 Leo Austin Road

Ward: WARD 10

Contact: Ellis Lewis, Planner I

Recommendations:

That application A-2024-0344 be refused.

Background:

Upon further review of the application, following the issuance of public notices, the Zoning, Building, and Planning departments determined that clarification surrounding measurements of the garage needed to be provided on the sketch to verify the accuracy of the driveway widening. Based on the review and receipt of the revised sketch, the wording of the previously identified variance was revised to accurately reflect the figures associated with the existing driveway widening.

The originally requested variance, as stated in the public notice, is as follows:

1. To permit a driveway width of 8.305 metres, whereas the by-law permits a maximum driveway width of 7.32 metres; and
2. To permit 0.30 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.6 metres of permeable landscaping abutting the side lot line.

After further review, the following variances are now required:

1. To permit a driveway width of 8.688 metres (28.48 feet), whereas the by-law permits a maximum driveway width of 7.32 metres (24.02 feet); and

2. To permit 0.305 metres (1 foot) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.97 feet) of permeable landscaping abutting the side lot line.

While there is a discrepancy between the figures stated in the public notice and those in this staff report recommendation, the intent of the application and the associated revised sketch remains largely unchanged as the application also relates to existing site conditions.

Existing Zoning:

The property is zoned 'Residential Single Detached E-Special Section 2387 (R1E- 2387)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.688 metres (28.48 feet), whereas the by-law permits a maximum driveway width of 7.32 metres (24.02 feet); and
2. To permit 0.305 metres (1 foot) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.97 feet) 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 designated 'Residential' in the Official Plan and 'Executive Transition Residential' in the Vales of Humber Secondary Plan (Area 50).

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 4.2.1.14 of the Official Plan provides policies that speak to the development of residential land. In accordance with the Development Design Guidelines, the City of Brampton recognizes that garage placement and driveway design are key elements of design for residential areas.

In addition, policies listed in the "Residential Design" section of Official Plan Policy (Section 4.2.7) speak to avoiding the excessive parking of vehicles on driveways in the front yard and to promote a realistic driveway design that is complementary to the house and the lot size. The driveway design for the

subject land can allow excessive parking in the front yard and is not considered to be a supportive design in relation to the house and lot size. The requested variances are not 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 to permit a driveway width of 8.688 metres (28.48 feet), whereas the by-law permits a maximum driveway width of 7.32 metres (24.02 feet). Variance 2 is to permit 0.305 metres (1 foot) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.97 feet) of permeable landscaping abutting the side lot line. 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. 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.

The existing driveway was widened on both the northern and southern portions of the lot, allowing for a total driveway width of 8.688 metres (28.48 feet) which would be 1.37 metres (4.49 feet) more than what is permitted. The widened driveway extends into the pathway leading to the front entrance of the home, constructing a space which would allow for multiple vehicles to be parked across the width of the extended driveway. This could eventually result in obstructions being placed in the path of travel to the front entrance of the dwelling. In addition, grass has been removed from the southern portion of the front yard and as a result, the permeable landscaping on the property has been reduced, potentially leading to drainage issues on the subject land and adjacent properties. The requested variances do not maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 speaks to permitting an existing driveway width that is larger than the 7.32 metres (24.02 feet) that is currently permitted, as per the Zoning By-law. As a result, Variance 2 speaks to the reduction of permeable landscaping which abuts the side lot line and the driveway and Staff are not in support of permitting the driveway extension, as it will accommodate the parking of additional vehicles, while significantly reducing the front yard landscaping. The widened driveway results in the addition of hardscaping which may limit drainage on the property. The increased driveway width and reduced permeable landscaping are not considered desirable for the appropriate development of the land. The requested variances are not considered appropriate for the development of the land.

4. Minor in Nature

The variances being requested would accommodate a widened driveway, which would facilitate the parking of additional vehicles in front yard of the dwelling. The existing driveway extension provides enough space to allow for the parking of three vehicles in the front yard, whereas there was sufficient room for two automobiles to be parked on the driveway, prior to construction of the extension. The increased driveway width results in the property being dominated by excessive hardscaping. The requested variances are not considered minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planner I

Appendix A:

