



Report Committee of Adjustment

Filing Date: November 7th, 2024
Hearing Date: December 10th, 2024

File: A-2024-0400

**Owner/
Applicant:** JAPNEET KAUR

Address: 16 Bedford Cresnet

Ward: WARD 7

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0400 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential Semi-Detached A1 (R2A1)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.72 metres, whereas the by-law permits a maximum driveway width of 7.32 metres.
2. To permit 0.0 metres of permeable landscaping abutting both side lot lines, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines on both sides.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Bramalea Secondary Plan (Area 3). The subject property is also designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhoods' (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 sets out policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. Specifically, Section 4.2.1.14 provides that one of the key areas of design include driveways and landscaping. 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 to ensure the driveways are designed in such a manner that they complement and are consistent with the overall streetscape aesthetic while maintaining appropriate amounts of landscaping. The existing driveway eliminates the required amount of permeable landscaping along the side property line and is in contravention to the City's Development Design Guidelines for residential lots in neighborhoods as there is no permeable landscaping between the driveway and the adjacent property's driveway.

Therefore, 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 requested to permit a driveway width of 7.72 metres, whereas the by-law permits a maximum driveway width of 7.32 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 that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling. Given the design of the dwelling, the increased driveway width protrudes in front of the dwelling allowing an excessive number of vehicles to be parked in front and past the main entrance of the dwelling.

Variance 2 requested to permit 0.0 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 landscape strip is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The reduction of the landscaped area on the site lot line and the widened driveway are not considered desirable in accordance with the City's Development Design Guidelines for residential neighborhoods. Cumulatively, the hardscaping on the property creates an abundance of hard surfacing throughout the property which can potentially lead to drainage issues and contributes to a sense that the front of the property is dominated by hard surface. The existing site conditions also facilitate the parking of additional vehicles where permeable landscaping is required.

As a result, 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

The requested variances result in the reduction of the landscaped area along the side lot line, which is intended to visually function as a break between hardscaped areas in order to frame the lots within a neighborhood and reduce the impact of driveways on the streetscape. The loss of the landscaped area along the side lot line forms an uninterrupted pattern of hardscaping that interrupts and affects the character and design of the neighborhood and streetscape. 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. Both Variance 1 and Variance 2 allow the provision of parking both along the side lot line and beyond the width of the garage into the front yard.

The requested variances are generally not considered to maintain the general intent and function of the subject property, adjacent properties, and the neighborhood. The requested variances are not considered desirable and appropriate development of the land.

4. Minor in Nature

The variances to allow an increased driveway width and a reduced permeable landscaping are considered to facilitate negative impacts. The proposal lacks sufficient open landscaping on the property allowing for inadequate drainage and permits the ability for multiple vehicles to be parked. The variances are not deemed minor in nature.

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

Appendix A – Site Visit Photograph



Appendix B – Aerial Photograph (2024)

