



## Report Committee of Adjustment

**Filing Date:** October 10<sup>th</sup>, 2024  
**Hearing Date:** January 28<sup>h</sup>, 2025

**File:** A-2024-0381  
**Owner/  
Applicant:** CHAUNDHRY KHURRAM ANWAR & RABIA SHAHID

**Address:** 15 LOAFERS LAKE LANE

**Ward:** WARD 2

**Contact:** Paul Brioux, Assistant Development Planner

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### **Recommendations:**

That application A-2024-0381 be refused.

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### **Background:**

The Minor Variance application was reviewed at the November 12, 2024, Committee of Adjustment hearing. At that time, the planning staff report recommended refusal of the proposed variances, which sought to permit a driveway width of 7.78 metres and 0.0 metres of permeable landscaping along both side lot lines. The variances were reflective of existing site conditions relating to the widened driveway. The agent delegated and emphasized the need for additional driveway space due to a medical mobility disability. In response, the Committee offered to defer the matter to a future hearing date so that the applicant could make revisions.

Since then, the applicant has revised the application and sketch, proposing a reduction in driveway width and the partial reinstatement of permeable landscaping along the side lot lines. Further review of the plans has determined that the side lot line had an existing 0.20 metres permeable landscaping with an as-built fence along the side lot line. The variance associated with the width of the driveway is stated as 5.50 metres however, upon further review of the revised plan, the driveway width would measure 5.95 meters.

### Existing Zoning:

The property is zoned 'Residential Semi-Detached – Special Section 2905 (R2E-2905)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 5.50 metres, whereas the by-law permits a maximum driveway width of 4.9 metres.
  - According to the revised sketch, the variance is to permit a driveway width of 5.95 metres.
2. To permit 0.20 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.
  - The variance only relates to the landscaping abutting the western side lot line rather than both side lot lines.

### **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 'Recreation Open Space' in the Snelgrove-Heartlake Secondary Plan (Area 1). 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 and proposed driveway widths significantly reduces the required amount of permeable landscaping and allows additional vehicles to be parked in a manner that is deemed excessive which are in contravention to the City's Development Design Guidelines for residential lots in neighborhoods. 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 is requested to permit a driveway width of 5.95 metres, whereas the by-law permits a maximum driveway width of 4.9 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 for an excessive number of vehicles to be parked in the front of the dwelling. The widened area of the driveway leads directly to the main entrance of the dwelling and

allows for two vehicles to be parked across the width of the driveway, which is contrary to the intent of the by-law which is intended to only allow one parking space on the driveway.

Variance 2 is requested to permit 0.20 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 removal of the landscaped area directly in front of the dwelling and the reduction of permeable landscaping along the side lot line is not considered align with the intent of the City's Development Design Guidelines for residential neighbourhoods. 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 surfaces which can be parked upon. Furthermore, the area between the sidewalk and the street has been converted to hardscaping facilitating vehicular parking within the City's right-of-way and in close proximity to the City's street tree. 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

Variances 1 and 2 are requested to permit an increased driveway width and reduction in permeable landscaping. The variances are contribute to the front yard to be dominated with vehicles and increase water runoff due to the lack of impervious surfaces having negative impacts on neighbouring properties.

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. 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

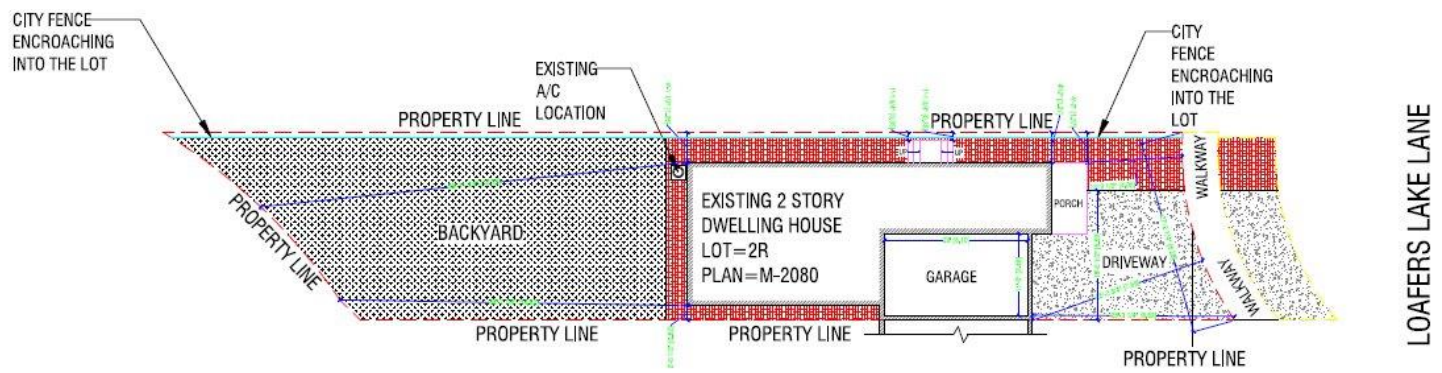
The variances to allow an increased driveway width and a reduced permeable landscaping are considered to facilitate negative visual and functional impacts. The proposal lacks sufficient permeable and open landscaping on the property allowing for inadequate drainage and permits the ability for multiple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

Respectfully Submitted,

*Paul Brioux*

Paul Brioux, Assistant Development Planner

Appendix A



## Appendix B





Appendix C

