



## Report Committee of Adjustment

**Filing Date:** November 2<sup>nd</sup>, 2024

**Hearing Date:** January 28<sup>th</sup>, 2025

**File:** A-2024-0382

**Owner/**

**Applicant:** MICHAEL HIGGS & ESTELITA ALBIENTO

**Address:** 76 Barr Crescent

**Ward:** WARD 2

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

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### Recommendations:

That application A-2024-0382 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 drainage on adjacent properties shall not be adversely affected;
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### Background:

#### Existing Zoning:

The property is zoned 'Residential Single Detached – Special Section 278 (R1B-278)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 7.54 metres, whereas the by-law permits a maximum driveway width of 7.32 metres.

## **Current Situation:**

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

The subject property is designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Snelgrove-Heartlake Secondary Plan (Area 1). 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 front yard of the property has sufficient permeable landscaping along the lot lines and is not considered to be in contravention of the City's Development Design Guidelines for residential lots in neighborhoods.

Therefore, the requested variance 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 is requested to permit a driveway width of 7.54 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 does not protrude in front of the dwelling in an excessive manner. Nor does the variance allow an excessive number of vehicles to be parked in front and past the main entrance of the dwelling.

The increase in driveway width on the property is not considered to create an abundance of hard surfacing on the property. It is not considered that the widened driveway contributes to the sense that the front of the property is dominated by hard surface nor are engineering staff of the opinion that drainage issues will be negatively impacted as result of the increased driveway width. The existing site conditions do not facilitate the parking of additional vehicles.

As a result, the requested variance maintains the general intent and purpose of the Zoning By-law.

### **3. Desirable for the Appropriate Development of the Land**

The requested variance does not negatively impact the provision of landscaped areas nor does it visually out of character with the neighbourhood. 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 variance, and current conditions are not seen to negatively affect this provision.

The requested variance is generally considered to maintain the general intent and function of the subject property, adjacent properties, and the neighborhood. The requested variance is considered desirable and appropriate development of the land.

#### 4. Minor in Nature

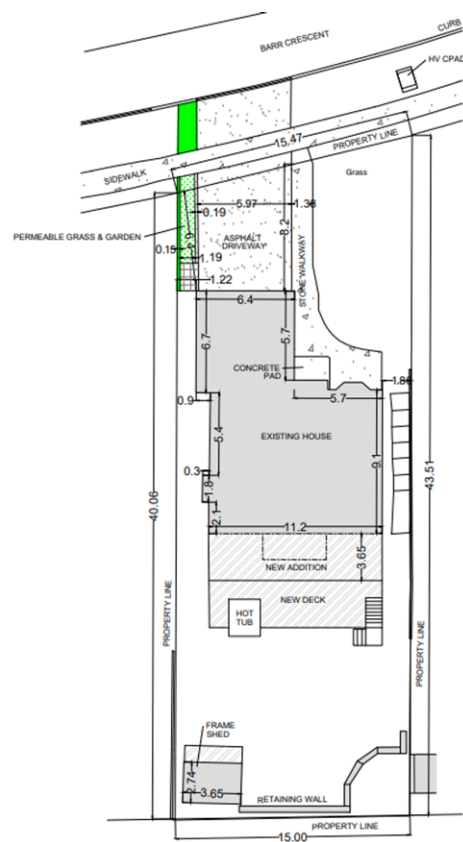
The variance to allow an increased driveway width is not considered to facilitate negative impacts. The proposal does not impact the provision of sufficient open landscaping on the property, nor does it permit the ability for multiple vehicles to be parked in a manner that is considered excessive. Staff are also of the opinion that drainage will not be negatively impacted. Due to the above, the variance is considered minor in nature.

Respectfully Submitted,

*Paul Brioux*

Paul Brioux, Assistant Development Planner

Appendix A



**Appendix B**

