



Report Committee of Adjustment

Filing Date: December 11th, 2024
Hearing Date: January 28th, 2025

File: A-2024-0444

**Owner/
Applicant:** Jasmeet Singh Kathuria & Harpreet Kaur
Shivang Tarika

Address: 42 Thatcher Court

Ward: WARD 2

Contact: Marcia Razao, Planning Technician

Recommendations:

That application A-2024-0444 be refused

Background:

Existing Zoning

The property is zoned 'Residential Townhouse B(1) (R3B(1))', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 5.49 metres whereas the by-law permits a maximum driveway width of 4.9 metres.

Current Situation:

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

The property is designated 'Residential' in the 2006 Official Plan and 'Low Density 1' in the Snelgrove Heart Lake Secondary Plan (Area 1). 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 establishes policies that facilitate the growth and maintenance of complete residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. As per Section 4.2.1.14 of the City of Brampton Official Plan, driveways are listed as key design areas. The layout of the driveway should be in such a manner that it complements and is consistent with the overall streetscape aesthetic. This is related to the design objectives outlined within Section 4.2.7 of the City of Brampton's Official Plan which aims to avoid the excessive parking of vehicles in the front yard and on driveways, and to promote a driveway design that is complementary to the house and lot size. The driveway design for this property is capable of allowing excessive parking on the driveway and eliminates a substantial amount of permeable landscaping at the front of the property. The requested variance does not maintain the general intent and purpose of the Official Plan.

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

The variance requests to permit a driveway width of 5.49 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 to prevent the parking of an excessive number of vehicles in front of the dwelling.

The increased driveway width facilitates additional vehicular parking at the front of the property in the widened portion of the driveway. Furthermore, the hardscaping on the property creates an abundance of hard surfacing throughout the property which can potentially lead to drainage issues. The requested variance is not considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The subject property is located within an established low density residential neighbourhood that is largely characterized by townhouse dwellings with garages and driveways maintaining frontage onto the street. The proposed variance is considered to significantly reduce the amount of landscaped area on the subject property.

The proposed driveway extension functions in contravention of the City's Development Design Guidelines for residential neighbourhoods, which provides guidelines for neighbourhoods character, design, and streetscapes among other elements. The requested variance result in limiting the amount landscaped area along the side lot line, which is intended to visually function as a break between hardscaped areas in order to frame the neighbourhood and reduce the impact of driveways on the 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.

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

4. Minor in Nature

The requested variance is seeking relief from driveway width requirements. The requested variance seeks to increase the width of the driveway by 0.59 metres. The requested variance reduces the amount of available landscaped area in a manner that is considered undesirable for the subject property and facilitate additional vehicular parking. The requested variance is not considered minor in nature.

Respectfully Submitted,

Marcia Razao

Marcia Razao, Planning Technician

Appendix A

