



Report Committee of Adjustment

Filing Date: December 5, 2024
Hearing Date: January 28, 2025
File: A-2024-0450
**Owner/
Applicant:** Athar Mohammad
Abdulkadeer Dudhiyawala
Address: 20 Loomis Road
Ward: 6
Contact: Megan Fernandes, Planner I

Recommendations:

That application A-2024-0450 be refused.

Background:

Existing Zoning:

The property is zoned 'Residential Single Detached F – Special Section 2452 (R1F-9-2452)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.56 metres, whereas the by-law permits a maximum driveway width of 7.0 metres;
2. To permit 0.0 metres of permeable landscaping abutting the side lot lines, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the 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. Within the 2006 Official Plan, the subject property is designated as 'Residential' and 'Low/Medium Density Residential' in the Mount Pleasant Secondary Plan (Area 51).

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 all permeable landscaping at the front of the property. The requested variances 1 and 2 do not maintain the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Single Detached F – Special Section 2452 (R1F-9-2452)', according to By-law 270-2004, as amended.

Variance 1 is requested to permit a driveway width of 8.56 metres, whereas the by-law permits a maximum driveway width of 7.0 metre. 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. Variance 2 is requested to permit 0.0 metres of permeable landscaping abutting the side lot lines, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines. 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.

Variance 1 represents an increase of the permitted driveway width by 1.56m while variance 2 represents the elimination of permeable landscaping abutting the side lot lines. The increased driveway width combined with the elimination of permeable landscaping facilitates additional vehicular parking at the front of the property. Furthermore, the removal of the landscaped area on the site lot line is not considered desirable in accordance with the City's Development Design Guidelines for residential neighbourhoods where its intent is to balance hard and soft surfaces. Cumulatively, the hardscaping on the property creates an abundance of hard surfacing throughout the property which can potentially lead to drainage issues. The requested variances are 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 single-detached dwellings with garages and driveways maintaining frontage onto the street. The proposed variances are 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 variances 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 variances 1 and 2 are 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 variances to allow an existing driveway width contributes to an increased driveway area that facilitates the parking of an additional vehicle in the front of the dwellings main entrance. The reduction of permeable landscaped area along the southeastern property line may result in drainage impacts and contributes to a sense that the property is dominated by hard landscaping. Cumulatively, the impact of the variances result in a substantial loss of soft landscaping which staff do not consider to be minor in nature. The requested variances 1, and 2 are not deemed minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planner I

Appendix A – Site Visit Photos

