



## Report Committee of Adjustment

**Filing Date:** December 17<sup>th</sup>, 2024  
**Hearing Date:** February 25<sup>th</sup>, 2025

**File:** A-2024-0460

**Agent:** Fazil Khan  
**Owner:** Razeika Khan, Abdool Rahman, Meena Rahman

**Address:** 10 Kentucky Drive

**Ward:** Ward 4

**Contact:** Marina Shafagh, Planner I, Development

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### **Recommendations:**

That application A-2024-0460 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision and appendix "A";
  2. That drainage on adjacent properties shall not be impacted; and
  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 D- Special Section 2570 (R1D-2780), according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.391 metres, whereas the by-law permits a maximum driveway width of 7.0m metres.

2. To permit 0.532 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.

### **Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Low Medium Density Residential' in the Fletcher's Creek South Secondary Plan (Area 24).

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 requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are 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 7.391 metres, whereas the by-law permits a maximum driveway width of 7 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.

Variance 2 is requested to permit 0.532 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 decrease in permeable landscaping from 0.6 to 0.532 metres is not considered to create an abundance of hard surfacing on the property. Nor are engineering staff of the opinion that drainage issues will be negatively impacted as result of this variance.

As such, the requested variances maintain the general intent and purpose of the Zoning Bylaw.

3. Desirable for the Appropriate Development of the Land

The requested variances do not negatively affect the provision of landscaped areas, nor do they conflict with the visual character of the neighborhood. The City generally aims to balance driveways with

landscaping to create distinct components of the streetscape, particularly with paired driveways. Additionally, the City typically prefers driveway widths to be consistent with the width of the garage. The requested variances are considered to maintain the general intent and function of the subject property, adjacent properties, and the neighborhood. Therefore, the requested variances are considered desirable and appropriate development of the land.

#### 4. Minor in Nature

The variances to allow an increased driveway width and to reduce permeable landscaping are 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. Engineering 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,

*Marina Shafagh*

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Marina Shafagh  
Planner I, Development

Appendix B

