



Report Committee of Adjustment

Filing Date: November 7th, 2024

Hearing Date: February 25th, 2025

File: A-2024-0401

**Owner/
Applicant:** Parnminder Bath & Hartaran Kaur
Manpreet Kohli c/o Punjab Designs

Address: 36 Love Court

Ward: WARD 10

Contact: Marcia Razao, Planning Technician

Recommendations:

That application A-2024-0401 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;
 2. The Owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the City's road allowances;
 3. That the owner reinstates 0.3 metres of permeable landscaping in accordance with the sketch within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
 4. That drainage on adjacent properties should not be adversely affected;
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The property owner previously applied for a Minor Variance under application A-2024-0173, which was heard at the May 2024 Committee of Adjustment meeting. Staff recommended approval with conditions requiring the owner to reinstate portions of the driveway and incorporate permeable

landscaping in accordance with the submitted sketch. However, these modifications were never completed.

In November 2024, the owner submitted application A-2024-0401, seeking approval for the existing driveway conditions without any modifications. At the December 2024 hearing, the applicant and the committee agreed to defer the application to allow time for the applicant to work with the city to reduce the requested variances.

The public notice outlines two variances:

- Variance 1 proposes a driveway width of 8.41 metres, whereas the by-law permits a maximum of 7.0 metres.
- Variance 2 seeks to allow 0.0 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.6 metres.

City staff advised the applicant that significant reductions in driveway width would be necessary to gain support. In response, the applicant submitted a revised site plan (Appendix B), reducing the driveway width to 8.11 metres, thereby modifying Variance 1. The revised plan also includes the reinstatement of 0.30 metres of permeable landscaping, modifying Variance 2.

Existing Zoning:

The property is zoned 'Residential Single Detached 15.5 Special Section 2459 (R1E-15.2-2459)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.11 metres, whereas the by-law permits a maximum driveway width of 7 metres.
2. To permit 0.30 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.60 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 2006 Official Plan and 'Low/Medium Density Residential' in the Fletcher's Creek South Secondary Plan (Area 40d). 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. The requested variances, as revised, are not considered to have significant impacts within the context of the Official Plan policies and 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

Variance 1 is requested to permit a driveway width of 8.11 metres, whereas the by-law permits a maximum driveway width of 7 metres. Variance 2 seeks to permit 0.30 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 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 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.

With an addition width of 1.11 metres, Staff are of the opinion that the driveway width is not considered to facilitate an excessive number of vehicles being parked in front of the dwelling or significantly impact drainage on the site. A condition of approval is recommended that the Owner completes the work associated with the reinstatement of permeable landscaping as shown on the sketch attached to the Notice of Decision. Subject to the recommended conditions of approval, Variances 1 and 2 maintain the general intent of the Zoning By-Law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit an existing driveway width which exceeds the requirement that is set out in the Zoning By-law. Through the extension of the driveway width, an additional variance has been requested to reduce the permeable landscaping which abuts the driveway and side yard lot line to 0.30 metres. While the total width of the driveway does not maintain the maximum requirements of the Zoning By-Law, the materials and design uphold a certain aesthetic quality which does not detract from the streetscape and will limit the number of vehicles to be parked on the driveway. The property continues to maintain a substantial amount of landscaped area at the front of the property. The expanded driveway will not have a negative impact on the streetscape as sufficient permeable landscaping features will remain at the front of the residential property. Subject to the recommended conditions of approval, Variances 1 and 2 are appropriate for the development of the land.

4. Minor in Nature

Variances 1 and 2 are requested to permit an increased driveway width in the front yard of the dwelling. These variances are not considered to be ones that will significantly impact the amount of available outdoor amenity space, permeable landscaping or significantly affect drainage on the subject property or adjacent properties. Due to the size of the concrete addition 1.11 metres, Variances 1 and 2 are

considered to be minor in nature.

Respectfully Submitted,

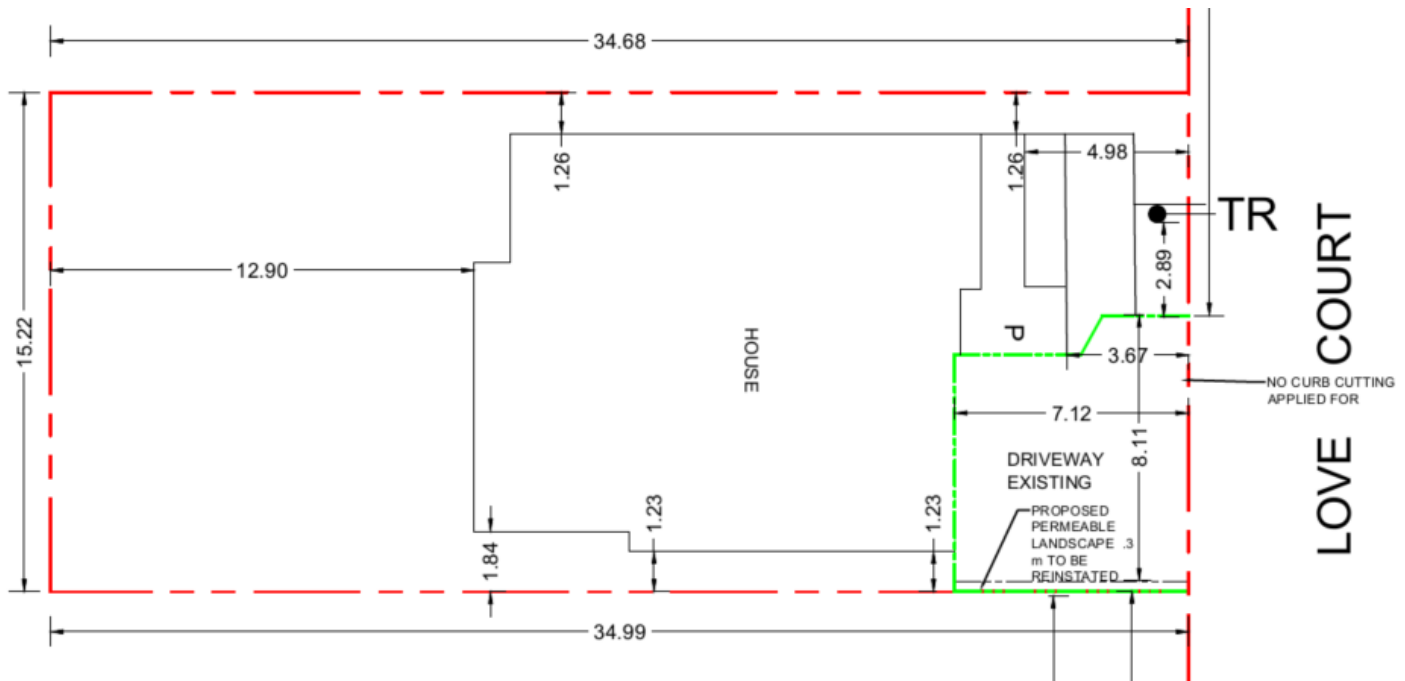
Marcia Razao

Marcia Razao, Planning Technician

Appendix A: Site Photos



Appendix B: Revised Site Plan



June 20, 2024

Parminder Bath, Hartaran Kaur Bath
36 Love Court
Brampton, Ontario, L6P 4H6

Dear Sir/Madam:

Re: Committee of Adjustment Application
Parminder Bath, Hartaran Kaur Bath - A-2024-0173
Plan 1996, Lot 17, 36 Love Court

Further to the Committee of Adjustment hearing held Tuesday June 18, 2024 at which time the application as submitted by you on behalf of the above captioned property was heard, I am enclosing a copy of the Committee's decision.

According to the provisions of the Planning Act, (R.S.O. 1990 c.P. 13, as amended), subsections 12 and 12.1 of section 45, a decision of the Committee of Adjustment may only be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body. Individuals (e.g., neighbouring residents) who received the Notice of Public Hearing or participated at the hearing, are no longer permitted to appeal Committee of Adjustment decisions. The notice of appeal accompanied by the fee prescribed under the Ontario Land Tribunal Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is **\$400.00 per person/per appeal and must be in the form of a certified cheque or money order made payable to the Minister of Finance.**

The Notice of Appeal must be made within twenty (20) days of the making of the decision. The appeal form is available on the Environment and Land Tribunals Ontario website at <https://olt.gov.on.ca/appeals-process/forms/> or you may obtain an appeal form by contacting the Secretary-Treasurer of the Committee of Adjustment.

The last day for appeal will be **July 8, 2024**. If no appeal is made within the specified period, the decision of the Committee becomes final and binding on **July 9, 2024**.

Yours truly,



Clara Vani
Secretary-Treasurer
Committee of Adjustment
Tel (905) 874-2117
Email: coa@brampton.ca

Attach.

cc: **Manpreet Kohli**

NOTE: PLEASE ENSURE THAT THE SIGN ASSOCIATED WITH THIS APPLICATION IS REMOVED FROM THE PROPERTY

FILE NUMBER: A-2024-0173

HEARING DATE: June 18, 2024

APPLICATION MADE BY: Parminder Bath, Hartaran Kaur Bath

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; **ZONING BY-LAW 270-2004** AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

1. To permit a driveway width of 8.09 metres, whereas the by-law permits a maximum driveway width of 7.0 metres;
2. To permit 0.3 metres of permeable landscape abutting the side lot line, whereas the by-law requires a minimum of 0.6 metres of permeable landscaping abutting the side lot line.

(36 Love Court, Plan 1996, Lot 17, Ward 10)

THE REQUEST IS HEREBY **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS**

(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained, and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: J. Sodhi

SECONDED BY: S. Saini

CHAIR OF MEETING: JARMANJIT SINGH DEHRIWAL

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

AUTHORIZED BY VOTE HELD AT A MEETING ON June 18, 2024

JARMANJIT SINGH DEHRIWAL, MEMBER (CHAIR) BALJIT MAND, MEMBER (VICE-CHAIR)

JOTVINDER SODHI, MEMBER (VICE-CHAIR) RON CHATHA, MEMBER

PAUL KHAIRA, MEMBER SARBJEET SAINI, MEMBER

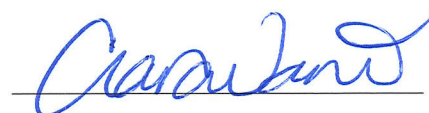
MANOHARAN VAITHIANATHAN, MEMBER

DATED THIS 20th DAY OF June 2024

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE July 8, 2024.

I, CLARA VANI, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



Flower City



brampton.ca

THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A-2024-0173**

DATED: **June 18, 2024**

Conditions:

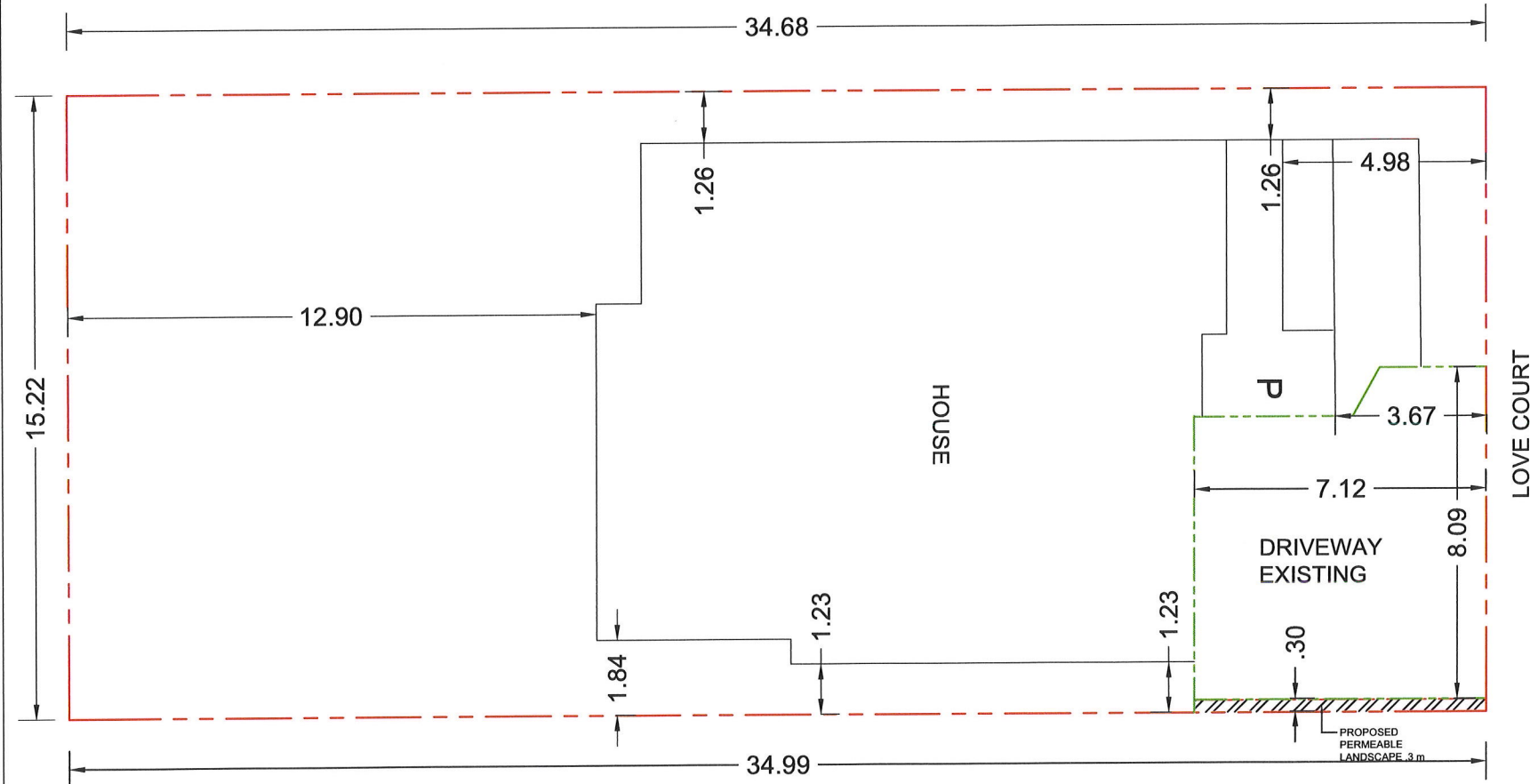
That application A-2024-0173 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner provide Staff with documentation of the final driveway condition inclusive of the width measuring 8.09 metres (26.54 feet) and reinstate landscaped areas as depicted in the submitted Site Plan within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
3. That the owner reinstate the driveway and landscape areas as depicted in the Site Plan and reduced driveway width to 8.09 metres (26.54 feet) shall be maintained, and shall not be removed, but may be repaired when necessary; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Clara Vani

Secretary-Treasurer

Committee of Adjustment

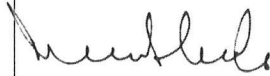



ALL DIMENTIONS IN METERS

Received / Revised

JUN 04 2024

Committee of Adjustment

GENERAL NOTES:		
I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.		
Individual BCIN: 20565 Firm BCIN: 110812		
SIGNATURE:		
MANPREET KOHLI		
		
		
NO.	REVISION/ ISSUE	DATE
1.	INITIAL ISSUE	
FIRM NAME & ADDRESS:		
PUNJAB DESIGN & CONSTRUCTIONS INC. BCIN: 110812 PH: 437 984 5005		
PROJECT NAME & ADDRESS:		
36 LOVE CRT		
SHEET NAME:		
SITE PLAN DRAWING		
DATE:		
SCALE: 8 MM= 1 M		
SHEET NO.: SP1		