



Report Committee of Adjustment

Filing Date: April 14, 2021

Hearing Date: July 13, 2021

File: A-2021-0097

**Owner/
Applicant:** BALJINDER SINGH SANDHU & MANDEEP SANDHU

Address: 39 BELLFLOWER LANE

Ward: 8

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0097 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 drainage on adjacent properties shall not be adversely affected;
 3. That the existing municipal curb depression shall not be widened in the area of the extended driveway width; and
 4. 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 applicant requested a deferral of the application at the May 11, 2021 Committee of Adjustment hearing in order to consult with staff and revise their site plan. The applicant has since met with staff and revised their proposal in a way that addresses previous staff concerns. The driveway width has since been reduced and the widened driveway area was redesigned. An additional variance was identified during the review relating to an existing concrete curb located between the existing driveway and the side lot line.

Existing Zoning:

The property is zoned 'Residential Single Detached D (R1D – 1157)', *according to By-law 270-2004, as amended.*

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.25m (27.06 ft.), whereas the By-law permits a maximum driveway width of 6.71m (22 ft.);
2. To provide a permeable landscape strip of 0.0m between the existing driveway and the side lot line, whereas the By-law requires a minimum permeable landscape strip of 0.6m (1.97 ft.) along the side lot line.

Current Situation:

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Bramalea North Industrial Secondary Plan (Area 13). The requested variances have no impact within the context of the policies of the Official Plan or the Secondary Plan.

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

Variance 1 is requested to permit a driveway width of 8.25m (27.06 ft.), whereas the By-law permits a maximum driveway width of 6.71 m (22 ft.). The variance relates to a proposed driveway widening. Variance 2 is requested to provide a permeable landscape strip of 0.0m between the existing driveway and the side lot line, whereas the By-law requires a minimum permeable landscape strip of 0.6m (1.97 ft.) along the side lot line. The variance relates to an existing 0.63m (2.06 ft.) concrete curb that extends from the side of the existing driveway to the side property 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 that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling. The intent of the By-law in requiring a minimum permeable landscape strip along the lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The total proposed driveway width is approximately 1.54m (5.05 ft.) wider than what the By-law permits. The applicant is proposing to widen the driveway by 1.96m (6.43 ft.) to the existing front porch steps with permeable surface hard landscaping. It is also noted that variance 2 relates to the southern portion of the driveway located between 39 and 41 Bellflower Lane with an existing 0.63m (2.06 ft.) concrete curb. In this case, the proposed driveway width, not including the existing 0.63m (2.06 ft.) concrete curb, is not anticipated to provide the sufficient 2.70m width required to park more than two cars side by side. Further, the driveway extension is proposed to taper off diagonally towards the street. Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Staff have reviewed variance 2 and the existing reduced permeable landscape strip along the lot line is not anticipated to negatively impact drainage on the subject property and adjacent properties. A condition of approval is recommended so that drainage on adjacent properties shall not be adversely affected. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to widen the driveway and permit an existing concrete curb. In order to reduce the potential for an excessive number of cars to be parked side-by-side, a condition of approval is recommended that the existing municipal curb depression shall not be widened in the area of the extended driveway width. Further, and to minimize the potential for negative impacts to the drainage resulting from the existing concrete curb, a condition of approval is recommended that drainage on adjacent properties shall not be adversely affected. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to allow an increase in the driveway width and permit the reduced permeable landscape strip is not anticipated to create adverse visual impacts to the streetscape or allow for an excessive amount of cars to be parked on the driveway. Variances 1 and 2 are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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