



Report Committee of Adjustment

Filing Date: June 8, 2022

Hearing Date: July 12, 2022

File: A-2022-0190

**Owner/
Applicant:** KAMALJIT KAUR

Address: 11 Attmar Drive

Ward: WARD 8

Contact: François Hémon-Morneau, Planner I

Recommendation:

That application A-2022-0190 be refused.

Background:

The applicant is requesting variances to permit the existing driveway width and elimination of permeable landscaping on the subject property. Staff note that the property has parking for two vehicles in the garage, and three vehicles on the driveway due to the widened driveway, resulting in a total of five parking spaces. The driveway was widened to a considerable degree and in a manner that is intended to facilitate the parking of a third vehicle in front of the dwelling's main entrance. The existing site conditions undermine the front yard landscaping requirement which seek to maintain a certain character for the property. Staff recognize that the current owner of the property receives transport services for medical trips. While staff are not in support of the application for failing to meet the four tests for minor variances, staff are willing to work with the owner to accommodate their needs by exploring alternative options to facilitate transportation services.

Existing Zoning:

The property is zoned 'Residential Single Detached C (R1C-1874)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.83m (29 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);

2. To permit 0.0m of permeable landscaping adjacent to the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip adjacent to 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 'Medium Density Residential' in the Bram East Secondary Plan (Area 41). The requested variances are not considered to have significant impacts within the context of the Official Plan. The requested variances are considered to maintain the general intent 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 8.83m (29 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). 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 for an excessive number of vehicles to be parked in front of the dwelling. Variance 2 is requested to permit a 0.0m (0.0 ft.) permeable landscaping strip between the driveway and side lot line whereas the By-law requires a minimum of 0.6m (1.96 ft.) permeable landscaping between the driveway and side lot line. The intent of the by-law in requiring a minimum permeable landscaping strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

The total existing driveway width is approximately 2.12m (7.0 ft.) wider than what the by-law permits for this property. According to aerial photographs, the southern portion of the driveway was widened in the 2007 (Appendix A). In 2011, the northern portion of the driveway located between the property and 9 Attmar Drive was widened (Appendix B). The additional width is considered to facilitate the parking of a third vehicle directly in front of the dwelling's entrance. Furthermore, the width of the driveway combined with the elimination of the required 0.6m (1.96 ft.) permeable landscaping between the driveway and side lot line results in site conditions conducive to a sense that the property is dominated by concrete. The existing configuration of the driveway occupies approximately 83% of the property's front yard resulting in a substantial loss of permeable landscaping. The variances are not considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances are requested to allow an existing driveway width which exceeds the requirements of the Zoning By-law and the elimination of permeable landscaped space along the northern property line. The widened driveway facilitates the parking of additional vehicles and is considered to negatively impact the streetscape. The widened driveway results in an abundance of hard landscaping which may negatively impact drainage on the property. Staff conclude that the extension to the width of the driveway is facilitating the parking of additional vehicles and not necessary to accommodate transport service needs. Staff also note that the concrete was installed in the area between the street and the sidewalk further contributing to the amount of hard landscaping at the front of the property. The extended driveway width is not considered desirable for the appropriate development of the land as it

underscores the importance of soft landscaping to accommodate amenity space in the front yard, streetscape appeal, and capability for appropriate drainage on the property.

4. Minor in Nature

The variance to allow an existing driveway width contributes to an increased driveway area that facilitates the parking of an additional vehicle in front of the dwellings main entrance. The elimination of permeable landscaped area along the northern 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 permeable landscaping which staff do not consider to be minor. While staff acknowledge that the owners request the extension of the driveway to accommodate transport services for medical trips, the variances result in a number of negative impacts which staff do not support. Staff are willing to work with the owner to accommodate their needs by exploring alternative options that balance the needs of the owners while enhancing the visual character of the property by reducing the width of the driveway to limit the parking of additional vehicles to be parked on the driveway. The requested variances are not deemed minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I



Appendix A – Aerial Photograph (2007)



Appendix B – Aerial Photograph (2011)