



Report Committee of Adjustment

Filing Date: June 20, 2022
Hearing Date: August 2, 2022

File: A-2022-0200

**Owner/
Applicant:** CORNELIUS ACKAH-BAIDOO AND GRACE ANTWI

Address: 46 Pellegrino Road

Ward: WARD 6

Contact: François Hémon-Morneau, Planner III

Recommendation:

That application A-2022-0198 is supportable in part, subject to the following conditions being imposed:

1. That Variance 2 to permit 0.0m of permeable landscaping adjacent to the side lot line be refused;
2. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

The applicant is requesting variances to permit the existing driveway width and elimination of permeable landscaping on the subject property.

Existing Zoning:

The property is zoned 'Residential Single Detached F-9 (R1F-9-2214)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 7.26m (23.82 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);

2. To permit 0.0m of permeable landscaping between the driveway and the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the driveway and 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' in the Mount Pleasant Secondary Plan (Area 51). 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 7.26m (23.82 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 0.0m of permeable landscaping between the driveway and the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the driveway and the 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 0.55m (1.80 ft.) wider than what the by-law permits for this property. The additional width is primarily attributable to a concrete driveway expansion which does not extend beyond the front of the dwelling's entrance. This area is not considered to facilitate the parking of an additional vehicle. However, 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 hard landscaping. The existing configuration of the driveway and elimination of permeable landscaping results in a continuous hard landscaped area between the subject property and adjacent property. Staff do not support the variance to allow 0.0m of permeable landscaping between the driveway and the side lot line. Variance 1 is considered to maintain the general intent of the Zoning By-law. Variance 2 is 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 northwestern property line. The widened driveway is not considered to facilitate the parking of additional vehicles. However, the elimination of permeable landscaping between the driveway and side lot line contributes to a sense that the driveway dominates the front of the property and results in negative aesthetic impacts to the streetscape. While staff have no concerns with the overall width of the driveway, the 0.0m of permeable landscaping is not considered desirable for the appropriate development of the land. Variance 1 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance to allow an existing driveway width is not considered to facilitate 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. Variance 1 for the driveway width is deemed minor in nature. Staff do not consider Variance 2 to be minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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