



Report Committee of Adjustment

Filing Date: September 12, 2022

Hearing Date: October 25, 2022

File: A-2022-0307

**Owner/
Applicant:** SWARAM SINGH

Address: 74 SHOWBOAT CRESCENT

Ward: WARD 1

Contact: Mohammed Jalabi Assistant Development Planner

Recommendations:

That application A-2022-0307 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 permeable landscaping be reinstated as shown on the attached revised sketch, as shown in Appendix I;
 3. That the owner 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 allowance.
 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:

Existing Zoning:

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

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.94m (29.33 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;
3. To permit an existing fence along the rear of the property line having a maximum height of 2.7m (8.86 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The nature and extent of the proposed 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 8.94m (29.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). 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 regulating the maximum permitted driveway width and minimum permeable landscape is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow excessive number of vehicles to be parked in front of the dwelling and to maintain sufficient drainage.

The existing concrete driveway was widened on the east side to a total driveway width of 8.94m (29.33 ft.). Therefore, the existing driveway is 2.23m (7.33 ft.) wider than what the by-law permits. Staff were concerned that the widened driveway may impact the ability for the City owned street tree to survive given the current site conditions. It was recommended by Planning staff that the total concrete area of the driveway be reduced to allow permeability for the survival of the street tree. The applicant has provided a revised sketch which has been attached as Appendix I. The revised sketch depicts a modified driveway and increased permeable landscaping area in order to ensure the survival of the street tree. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit an existing fence along the rear of the property line having a maximum height of 2.7m (8.86 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.). The current height of the fence is 0.7m (2.3 ft.) larger than the

permitted 2.0m (6.56 ft.). Upon site inspection staff did not see any significant impact to the subject property nor to adjacent property. Variance 3 is considered to maintain the general purpose and intent of the Zoning By-Law.

3. Desirable for the Appropriate Development of the Land

The variance is requested to allow an existing driveway width which exceeds the requirements of the Zoning By-law and reduced permeable landscaping that is less than the minimum landscaping requirements. The changes made by the applicant at the request of planning staff has resulted in a supportable proposal for the widened driveway with added permeability for the survival of the street tree. The materials and design of the driveway also maintain anaesthetic quality which does not detract from the overall streetscape. The existing fence is also not considered to cause any significant impacts on subject property or adjacent properties. Subject to the recommended conditions of approval, the variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are to accommodate the existing site conditions for a widened driveway, reduced permeable landscape, and increase to the height of the fence. The visual impact of the driveway is minimal and not considered to impact drainage. Furthermore the driveway does not impede access to the front or rear of the dwelling. The height of the fence is not considered to negatively impact the subject property or adjacent properties. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Mohammed Jalabi

Mohammed Jalabi, Assistant Development Planner

Appendix I

