



Report Committee of Adjustment

Filing Date: September 12, 2022

Hearing Date: October 25, 2022

File: A-2022-0308

**Owner/
Applicant:** DAVINDEER DHALIWAL

Address: 76 SHOWBOAT CRESCENT

Ward: WARD 1

Contact: Mohammed Jalabi Assistant Development Planner

Recommendations:

That application A-2022-0308 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 obtain a building permit for the existing below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
 3. That the below grade entrance shall not be used to access an unregistered secondary unit;
 4. That permeable landscaping be reinstated as shown on the attached revised sketch in Appendix I;
 5. That 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 allowance.
 6. 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 8.91m (29.23 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 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 8.91m (29.23 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 permeable landscaping 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 allow for sufficient drainage.

The existing concrete driveway was widened on the east side to a total driveway width of 8.91m (29.23 ft.). Therefore, the existing driveway is 2.2m (7.23 ft.) wider than what the by-law permits. Staff were concerned that the widened driveway and reduced permeable landscape 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. Subject to the recommended conditions of approval, the 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 variance is requested to allow an existing driveway width which exceeds the

requirements of the Zoning By-law and reduced permeable landscaping less than the required by-law. 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 on the east side of the driveway for the survival of the street tree. While the driveway does not maintain the full landscaping requirements of the Zoning By-law, the materials and design maintain a certain aesthetic quality which does not detract from the streetscape. 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 and reduced permeable landscape. 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. 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

