



## Report Committee of Adjustment

**Filing Date:** May 12, 2023  
**Hearing Date:** June 20, 2023

**File:** A-2023-0149

**Owner/  
Applicant:** TARLOCHAN SINGH AND GURWINDER KAUR SINGH

**Address:** 37 Esker Drive

**Ward:** WARD 2

**Contact:** Rajvi Patel, Assistant Development Planner

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### **Recommendations:**

That application A-2023-0149 is supportable in part, 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 Variance 1 to permit a driveway width of 8.89m (29.17 ft.) be refused. Staff recommend that approval be based on the revised site plan provided by the applicant (Appendix B) showcasing a proposed 7.5m (24.61 ft.) driveway width;
  3. 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 allowances.
  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 B(2) (R1B(2)-278)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.89m (29.17 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.01 ft.);  
Note: A revised site plan (Appendix B) has been submitted which depicts a reduced driveway width equating to 7.5m (24.61 ft.). Therefore, the requested variance is amended to permit a driveway width of 7.5m (24.61 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.01 ft.).
2. To permit 0.54m (1.77 ft.) of permeable landscaping abutting the side lot line, whereas the by-law requires a permeable landscape strip with a minimum width of 0.6m (1.97 ft.) abutting 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 Snelgrove-Heart Lake Secondary Plan (Area 1). The requested variances are not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies, and 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

The subject property is currently zoned 'Residential Single Detached B(2),' Special Section 278 (R1B(2)-278), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a driveway width of 8.89m (29.17 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.01 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 the front yard and in front of the dwelling.

Variance 2 is requested to permit 0.54m (1.77 ft.) of permeable landscaping abutting the side lot line, whereas the by-law requires a permeable landscape strip with a minimum width of 0.6m (1.97 ft.) abutting the side lot line. The intent of the by-law in requiring a minimum permeable landscape strip is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

Staff recommend that the requested variance for an 8.89m (29.17 ft.) driveway width be refused, and that approval be based on the revised site plan provided by the applicant (Appendix B) showcasing a driveway width of 7.5m (24.61 ft.). The existing driveway was widened on both sides for a total width of 8.89m (29.17 ft.) which is 2.18m (7.15 ft.) wider than what the by-law permits. The widened portion of the northern end of the driveway leads directly to the main entrance of the dwelling and allows for several vehicles to be parked across the width of the driveway. As depicted in staff's site visit photos (Appendix A), this area is used to park an additional vehicle and, results in obstructions in the path of

travel to the front entrance of the dwelling. The current configuration of the driveway facilitated the parking of additional vehicles in an undesirable location and is considered excessive. As per review of the revised site plan provided by the applicant (Appendix B), the existing driveway width is proposed to be reduced by adding permeable landscaping on both sides of the driveway. The revised driveway width would be 0.79m (2.59 ft.) wider than what the by-law permits. Staff are of the opinion that the revised configuration of the driveway and reinstating landscaping at the northern portion of the driveway reduces the amount of hardscaping on site, does not allow an excessive number of cars to be parked in front of the dwelling, and provides a clear path of travel to the main entrance of the dwelling. Therefore, Staff recommend that the variance be refused, and that approval be based on the revised site plan provided by the applicant (Appendix B) showcasing a proposed 7.5m (24.61 ft.) driveway width.

The applicant is also requesting a 0.06m (0.20 ft.) reduction to the permeable landscaping between the driveway and the side lot line from what the by-law permits. While this area of the driveway is paved slightly greater than what the By-law permits, Staff are of the opinion that the reduced landscape strip does not significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. Variance 2 is considered to maintain the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

As depicted on the revised site plan, the applicant is proposing to remove 1.3m (4.27 ft.) of the northern portion of the paved driveway and provided landscaping. The variance requesting a revised driveway width of 7.5m (24.61 ft.) will not result in additional vehicles from parking in front of the dwelling and would be considered appropriate relative to the size of the property. Staff do not anticipate any negative impacts to drainage as permeable landscaping will be reinstated and will not result in the property being dominated by hardscaping. Furthermore, Open Space staff have noted concerns that the existing conditions and any further alterations to expand or alter the existing driveway may damage the existing street tree. The revised site plan (Appendix B) depicting a reduced driveway width minimizes impacts to the tree. Subject to the recommended conditions of approval, Variance 1, as revised, is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit a reduction in the required permeable landscaping adjacent to the driveway. The requested reduction is not considered to negatively impact drainage on the property or adjacent properties or contribute to a substantial loss of landscaped open space. Variance 2 is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

Given the revised driveway shape and configuration, the requested variance to permit an existing driveway width is not considered to facilitate an excessive number of vehicles to be parked in front of the dwelling. The revised configuration of the driveway results in permeable landscaping being reinstated which is not anticipated to have negative impacts on drainage nor will the property be dominated by hardscaping. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

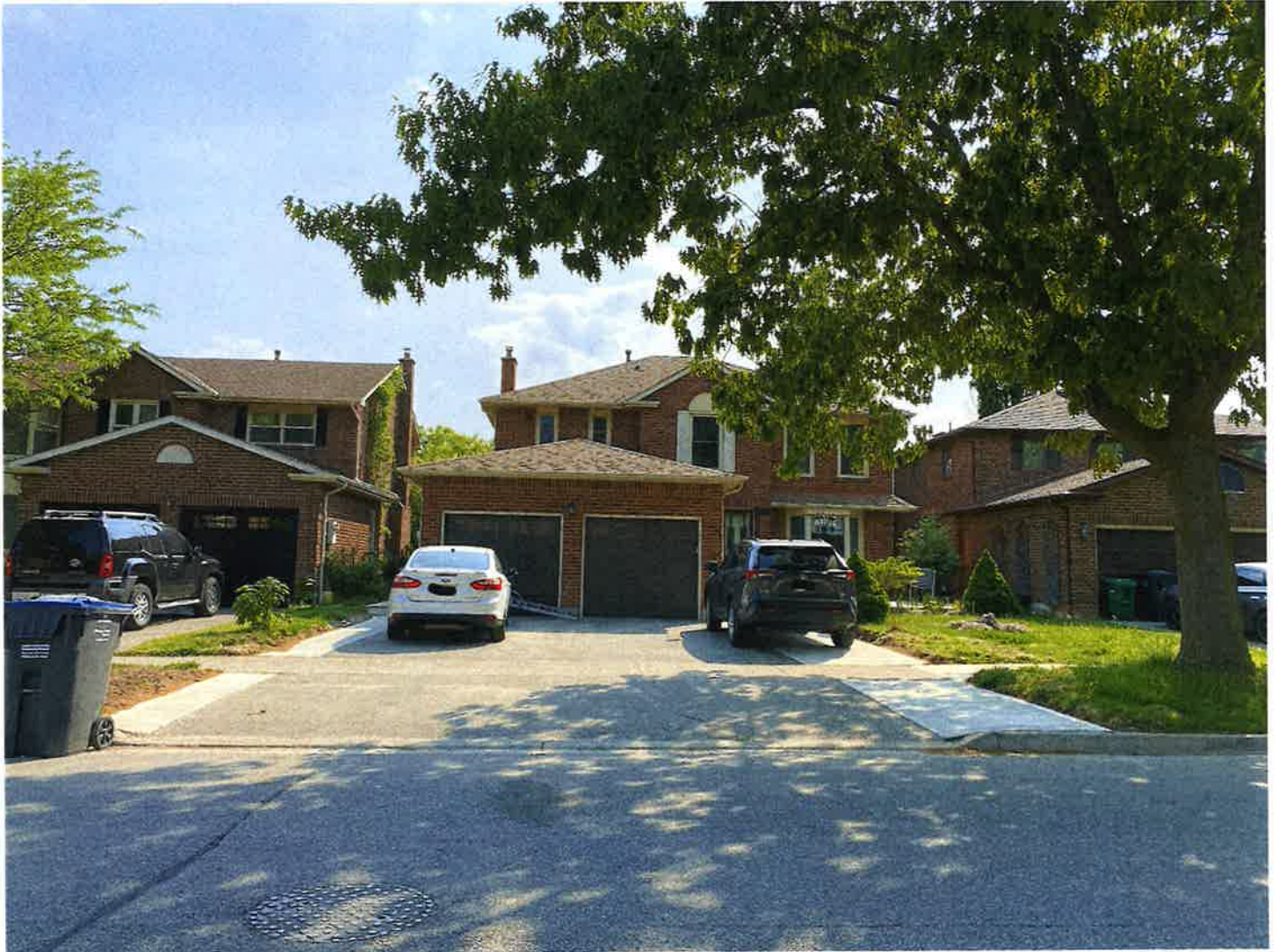
Variance 2 is requested to permit a reduced permeable landscaped area adjacent to the driveway. The reduction is not anticipated to impact drainage on the property or those adjacent to it. Furthermore, the reduced landscaped area does not detract from the provision of landscaped open space on the side of the property. Variance 2 is considered minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Assistant Development Planner

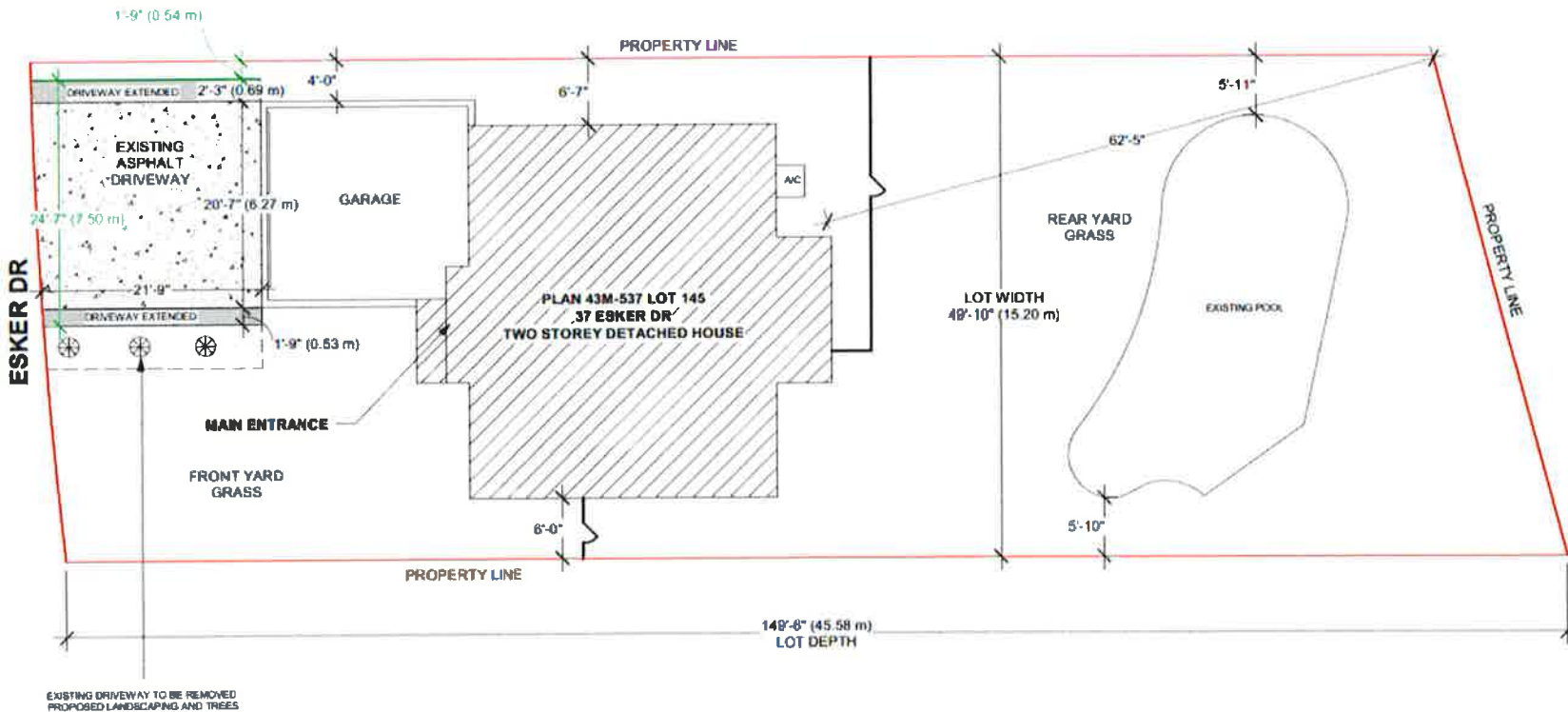
## Appendix A – Existing Site Conditions



# Appendix B – Revised Site Plan

**MINOR VARIANCE**

- TO PERMIT A MAXIMUM DRIVEWAY WIDTH OF 7.5m, WHEREAS ZONING BY LAW ALLOWS A MAXIMUM DRIVEWAY WIDTH OF 6.71m;
- TO PERMIT 0.54M OF PERMEABLE LANDSCAPING ADJACENT TO THE SIDE LOT LINE WHEREAS THE BY-LAW REQUIRES 0.6M OF PERMEABLE LANDSCAPING ADJACENT TO THE SIDE LOT LINE;



**SITE PLAN**

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTE THE DISTANCE NUMBER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION.  
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

ISSUED FOR VARIANCE	MAY 08/23
37 ESKER DRIVE, BRAMPTON, ON.	
PREPARED BY: NK	DESIGNED BY: TR
PROJECT NUMBER: 23R-27813	
<b>NOBLE PRIME SOLUTIONS LTD</b> 2131 WILLIAMS PARKWAY UNIT 19, BRAMPTON, ON info@nobleltd.ca (437) 888 1800	
SCALE: MAY 08/23	
PLANT: 1 132	A-1