



Report Committee of Adjustment

Filing Date: August 15, 2023

Hearing Date: October 3, 2023

File: A-2023-0262

**Owner/
Applicant:** JINGYU MA

Address: 23 Manorcrest Street

Ward: WARD 7

Contact: Rajvi Patel, Assistant Development Planner

Recommendations:

That application A-2023-0262 be refused.

Background:

The applicant is requesting an existing driveway width of 9.14m (30 ft) whereas the by-law permits a maximum driveway width of 6.71m (22.01 ft). The existing driveway width is 2.43m (7.97 ft.) wider than what the by-law permits. Staff are aware that there is an existing by-law infraction related to the existing driveway width.

Existing Zoning:

The property is zoned 'Residential Single Detached B (R1B-113)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 9.14m (30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.01 ft.);
2. To permit 0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) of permeable landscaping 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 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variance is not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies and is 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,' Special Section 113 (R1B-113), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a driveway width of 9.144m (30 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 of the dwelling.

The existing driveway was widened on both sides for a total width of 9.144m (30 ft.) which is 2.43m (7.97 ft.) wider than what the by-law permits. The widened area 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, which is contrary to the intent of the by-law.

Furthermore, there is inadequate permeable landscaping on the property due to the existing and extended driveway width which is considered to dominate the front yard. The increased driveway width fails to incorporate landscaping in the front yard which creates an abundance of hardscaping and reduces the capability of drainage on the property. As a result, the requested variance does not maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit 0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) of permeable landscaping 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.

The widening of the driveway on both sides has resulted in site conditions where the property is dominated by hardscaping, preventing adequate permeability and drainage. The variance does not maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances requesting a wider driveway width and reduced permeable landscaping accommodate additional vehicles to be parked in front of the dwelling, which also reduces the ability of the owner to provide front yard landscaping and negatively impacts the visual character of the streetscape. The widened driveway results in an abundance of hard landscaping which may negatively impact drainage on the property. Open Space staff have expressed concerns with the existing driveway

widening and landscaping impacting the long-term health of any existing trees and prefer that any trees be offset by a minimum of 1m from the edge of the driveway. The increased driveway width and reduced permeable landscaping are not considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are to facilitate the existing driveway conditions in relation to the driveway width and permeable landscaping. Variance 1 relating to the increased driveway width facilitates the parking of an additional vehicle in front of the main entrance of the dwelling. Variance 2 regarding the elimination of permeable landscaping contributes to a sense that the property is dominated by hardscaping which limits permeability along the western lot line. Variances 1 and 2 are not considered to be minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

Appendix A – Existing Site Conditions

