



## Report Committee of Adjustment

**Filing Date:** September 27, 2023

**Hearing Date:** October 24, 2023

**File:** A-2023-0301

**Owner/  
Applicant:** Gurpreet Singh Bhinder, Jasmeet Kaur

**Address:** 1 Grouse Lane

**Ward:** WARD 6

**Contact:** Charles Ng, Planner I

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### Recommendations:

That application A-2023-0301 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 shall perform remedial work on the widened driveway to ensure that 0.3 metres (0.98 feet) of permeable landscaping is maintained on the side lot line;
  3. That the stairway located in the front yard leading to the dwelling's primary entrance shall not be obstructed;
  4. That the owner shall contact the City's Forestry Department to review any existing trees affected by the proposed work;
  5. That the owner shall 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; and
  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:**

The applicant has submitted a Minor Variance Application to seek relief from driveway width and landscaping requirements. Staff notes that the driveway extension is existing.

**Existing Zoning:**

The property is zoned 'Residential Single Detached B' with Special Section 2730 (R1B-2730), according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit a driveway width of 10.47 metres, whereas the by-law permits a maximum driveway width of 9.14 metres.
2. To permit 0.3 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres 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 further designated 'Low/Medium Density Residential' in the Bram West Secondary Plan (Area 40(C)). The 'Residential' designation in the Official Plan permits residential uses as well as other complementary uses. The 'Low/Medium Density Residential' designation in the Secondary Plan permits residential uses in mixes and densities in accordance with the Official Plan. The requested variances are not considered to have significant impacts within the context of the applicable planning policy framework.

Subject to the recommended conditions of approval, the requested 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 to permit a driveway width of 10.47 metres (34.35 feet), whereas the by-law permits a maximum driveway width of 9.14 (29.98 feet) metres. The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not significantly reduce the available landscaped area in the front yard in a manner that is undesirable, and that the driveway does not allow for an excessive number of vehicles to be parked on the subject property.

Variance 1 represents an increase of the permitted driveway width by 1.33 metres (4.36 ft.) and is not considered to significantly reduce the amount of available landscaped area in the front yard in a manner that would be considered undesirable and is further not anticipated to increase vehicular parking on the subject property in a manner that would be considered undesirable.

Variance 2 is to permit 0.3 metres (0.98 feet) of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.96 feet) of permeable landscaping abutting the side lot line. The intent of the by-law in requiring a minimum permeable landscape strip along the lot line is to ensure that sufficient space is provided for drainage, that drainage on adjacent properties is not significantly impacted, and that an adequate and appropriate amount of landscaped area is maintained on the subject property.

Variance 2 represents a decrease in available permeable landscaping along the side lot line by 0.3 metres (0.98 ft.). Should 0.3 metres (0.98 feet) of permeable landscaping be maintained on the side lot line, the proposed reduction of 0.3 metres (0.98 feet) is not anticipated to significantly impact drainage on the subject property or adjacent properties and is further not anticipated to contribute to a substantial loss of available landscaped area on the property. A condition of approval has been included that the owner shall perform remedial work on the widened driveway to ensure that 0.3 metres (0.98 feet) of permeable landscaping is maintained on the side lot line.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

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

The subject property is located within an established low density residential neighbourhood largely characterized by single-detached dwellings with garages and driveways maintaining frontage onto the street. The proposed variances are not anticipated to significantly reduce the amount of landscaped area on the subject property in a manner that would be considered undesirable, and the widened driveway is not anticipated to increase the number of vehicles parked on the subject property in a manner that would be considered undesirable.

Staff notes that the widened driveway is existing and that 0.0 metre (0.0 feet) of permeable landscaping is currently maintained on the side lot line. Staff notes that the requested variance for 0.3 metre (0.98 feet) of permeable landscaping on the side lot line is proposed to be reinstated by the applicant and is acceptable to maintain adequate drainage and to maintain an appropriate amount of landscaping on the subject property. As mentioned, a condition of approval has been included that the owner shall perform remedial work on the widened driveway to ensure that 0.3 metres (0.98 feet) of permeable landscaping is maintained on the side lot line.

Through the review of the application and the existing site conditions, the Owner and Applicant are hereby advised that all City street trees shall be offset by a minimum of 1.0 metres (3.28 ft.) from the edge of driveway. Staff notes that the limits of the widened driveway maintains a setback of less than 1.0 metre from a street tree. A condition of approval has been included that the owner shall contact the City's Forestry Department to review any existing trees affected by the proposed work.

Subject to the recommended conditions of approval, the requested variances are considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variances are to seek relief from driveway width and permeable landscaping requirements. This includes widening the driveway by 1.33 metres (4.36 ft.) and reducing the required permeable landscaping along the side lot line by 0.3 metres (0.98 feet). The requested variances are not considered to significantly reduce the amount of available landscaped area in the front yard in a manner that would be considered undesirable and is further not anticipated to increase vehicular parking on the subject property in a manner that would be considered undesirable. The requested variances are also not considered to significantly impact drainage on the subject property or adjacent properties.

Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted,

*Charles Ng*

Charles Ng, Planner I

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Appendix B :



