



Report Committee of Adjustment

Filing Date: October 6, 2023
Hearing Date: October 24, 2023
File: A-2023-0303
**Owner/
Applicant:** GURJEET SINGH JUTLA
Address: 3 TERRICK ROAD
Ward: WARD 6
Contact: Satwant Hothi, Planner I, Development

Recommendations:

That application A-2023-0303 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 revised sketch (Appendix A) attached to the Notice of Decision;
 2. That variance 1 to allow a driveway width of 8.4m (27.56 ft) be refused and in lieu a driveway width of 8.1m (26.57 ft) be permitted as per revised sketch (Appendix A);
 3. That variance 2 be refused and the permeable landscaping strip abutting the property line be reinstated as shown on revised sketch (Appendix A);
 4. That the proposed reinstatement of the landscaped areas as depicted in Appendix A and reduced driveway width to 8.1m shall be maintained, and shall not be removed, but may be repaired when necessary; and
 5. That the extended portion of the driveway shall not be parked or driven upon at any time by the whole or a part of the motor vehicle;
 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 was advised that the originally proposed variances for a driveway width and reduced permeable landscaping is not supportable by Staff. Staff have received a revised sketch in which the required 0.6m permeable landscaping strip abutting property line is proposed to be reinstated and therefore, Variance 2 is no longer required.

Existing Zoning:

The property is zoned 'Residential Single Detached - Special Section 2225 (R1F-2225', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a driveway width of 8.4m (27.56 ft) whereas the by-law permits a maximum driveway width of 6.71m (22 ft).
 - A revised sketch (Appendix A) has been submitted that shows a reduced maximum driveway width of 8.1m (26.57 ft) whereas the by-law permits a maximum driveway width of 6.71m (22 ft).
2. To permit a reduced permeable landscaping strip of 0.3m (.98 ft) abutting property line whereas the by-law requires a minimum permeable landscaping strip of 0.6 (1.97 ft) abutting property line.
 - A revised sketch (Appendix A) has been submitted that shows 0.6m (1.97 ft) permeable landscaping strip abutting property line to be reinstated.

Current Situation:**1. Maintains the General Intent and Purpose of the Official Plan**

The property is designated 'Residential' in the Official Plan and 'Low and Medium Density' in the Mount Pleasant Secondary Plan (Area 51). The Official Plan sets out policies to build and maintain attractive residential neighbourhoods while balancing the impact of accommodating parking as it relates to attractive streetscapes and communities. Specifically, Section 4.2.1.14 provides that one of the key areas of design including attached garages, lot widths related to attached garages, rear yard garage locations and driveways. The intent of this policy is to ensure that the design of a residential driveway does not accommodate the parking of an excessive number of vehicles and to ensure the driveways are designed in such a manner that they complement the overall streetscape aesthetic. The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance 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 property is zoned "Residential Single Detached – Special Section 2225" according to By-law 270-2004, as amended.

Variance 1, as amended, is requested to permit a driveway width of 8.1m (26.57 ft) whereas a maximum driveway width of 6.71m (22 ft) is permitted. The variance represents a driveway width increase of 1.39m (4.56 ft), the intent of the by-law in prescribing a maximum driveway width based on the width of the property is to ensure that main function of the driveway is to provide a path of travel to the garage and maintain the aesthetic quality of the streetscape.

In case of the subject property, the existing driveway leads to the dwelling's two care garage and includes a portion that is intended to be used as a walkway based on the overall stonework design on the property. Subject to the recommended conditions of approval, the request variance maintains the general intent of the by-law.

3. Desirable for the Appropriate Development of the Land

The revised variance to permit an increased driveway width of 1.39m (4.56 ft) from the permitted 6.71m (22 ft) is found to be appropriate development of the land given the quality of the driveway design, provided it is not filled with an excessive number of vehicles, contributes positively to the overall aesthetic of the property and streetscape. Subject to the recommended conditions, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1, as amended, is requested with regards to the existing driveway on the property. The driveway is considered to contribute positively to the aesthetic quality of the property, given the overall stone design of the property. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Respectfully Submitted,

S. Hothi

Satwant Hothi
Planner I, Development

APPENDIX A

