

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-17	File(s): A84.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-25 1:00 PM

Consolidated Recommendation

Planning Staff recommend that this application be withdrawn.

Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 7.7m (approx. 25.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and
2. A walkway attachment of 3.2m (approx. 10.5ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.5m (approx. 4.9ft) in this instance.

Background

Property Address: 3236 Valmarie Avenue

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

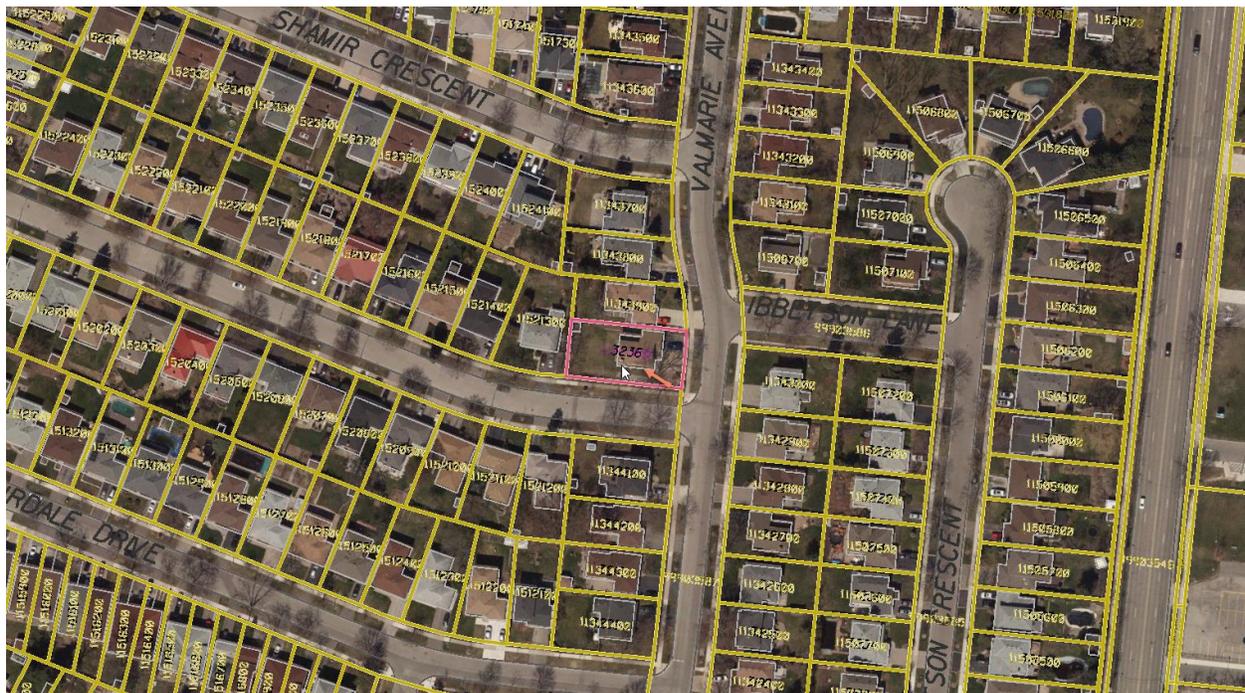
Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is situated south-west of the Erindale Station and McBride Ave intersection. The subject property is an exterior parcel, with a lot area of approximately 791.06m², and a lot frontage of 19.88m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yards. The immediate neighbourhood is exclusively low density residential in nature, with detached dwellings possessing minimal vegetation and landscape elements scattered throughout the front yards. The properties within the immediate area possess lot frontages of +/- 17.0m.

The applicant is proposing a larger driveway and walkway that do not require variances and are permitted as of right.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The property is located within the Erindale Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; triplexes, street townhouses, and other forms of low density dwellings with individual frontages. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The application is in line with both the general intent and purpose of the Official Plan.

The subject property is zoned R3 (Residential) in Zoning By-law 0225-2007. Pursuant to Section 4.1.9.13, lots having a frontage greater than 18.0m are permitted a maximum driveway width of 10.50m for the portion of the driveway that is within 6.0m of the front garage face. For the portion of the driveway beyond 6.0m of the front garage face, the driveway width may be increased to 8.50m.

Through an email correspondence on March 3, 2021 and March 9, 2021 the applicant confirmed the measurements for the driveway. The portion of the driveway from the garage face to the sidewalk measures to 9.0m in length and the portion below the walkway, just above the sidewalk measures 7.7m in width. The subject property has a lot frontage of 19.88m, therefore a variance regarding a driveway width of 7.7m is not required and is permitted as of right.

Regarding the walkway, the intent of this portion of the bylaw is to define an entryway and provide a convenient surface for pedestrian passage. Pursuant to section 4.1.9 (Driveways and Parking) the calculation of driveway width shall include any continuous hard surface area that may be used for the parking of motor vehicles. As it appears in the submitted material, the proposed walkway of 3.2m has been configured to look like a walkway attachment but site visit photos provided by Transportation and Works illustrate that the walkway contributes to the overall driveway width and allows for additional parking. This additional hardscaping brings the driveway width to 9.45m, which is permitted as of right for the portion of the driveway that is within 6.0m of the garage face. While the proposed walkway is intended to provide a dedicated pathway for pedestrians, the walkway, as proposed contributes to the overall driveway width and is permitted as of right under the zoning by-law. Staff finds there is no concern of a planning nature.

Conclusion

Planning staff are of the opinion that this application be withdrawn as the requested variances are permitted as of right.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner