

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A153.21 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the driveway.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a combined width of access points of a circular driveway of 10.50m (approx. 34.45ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points of a circular driveway of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 2819 Gulfstream Way

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R4-27 - Residential

Other Applications: Pre APP 20-3306

Site and Area Context

The subject property is located north-east of the Winston Churchill Blvd and Crosscurrent Dr. intersection. The subject property is an interior parcel, with a lot area of +/- 1,237.0m² and a lot frontage of +/- 29.04m. The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yards. Contextually, the area is comprised exclusively of detached residential dwellings. The properties within the immediate area possess lot frontages of +/-15.0m, with minimal vegetative and natural landscaped elements within the front yards.

The applicant is proposing a circular driveway requiring a variance for driveway access points.

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 of the four tests to this minor variance request are as follows:

The site is situated within the Meadowvale Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings.

As per Section 9.1 (Introduction), driveways should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. The property possesses a lot frontage of 29.04m and therefore permits a circular driveway. Staff are of the opinion that the proposed maintains the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R4-27 (Residential). Pursuant to section 4.1.9.12 (Driveways and Parking), the combined width of the two access points of a circular driveway shall not exceed 8.5m; whereas, the Applicant is proposing 10.5m. The Intent of a circular driveway is to safely enter oncoming traffic with a clear view and alleviate the need to back out of the driveway or turn around. The Transportation and Works Department (T&W) notes that the driveway does not function properly if a vehicle is parked in front of the garage. Additionally, the surrounding context consists of smaller lot frontages allowing double car garages and driveway widths. The subject property possesses a larger lot frontage that is exclusive to the neighbourhood. The property allows for a circular driveway however, the proposed is out of context with the surrounding neighbourhood and is only permissible because of this unique circumstance. Staff find the cumulative accesses points for the proposed circular driveway of 10.5m results in excessive hard surfacing. Furthermore the driveway has the ability to maintain all the by-law requirements related to circular driveways. As such, planning staff echo T&W's comments and recommend that the application be deferred for redesign.

Conclusion

Based on T&W's comments, Planning Staff recommend that the application be deferred for redesign of the circular driveway.

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

Appendices

Appendix 1 – Transportation and Works Comments

This department does not support the requested variance to allow a combined width of access points of a circular driveway of 10.50m whereas 8.5m is permitted. We acknowledge that the zoning by-law permits circular driveways on properties which have a minimum of a 22.5m frontage. This property is very unique compared to the properties in the area in that it complies with the minimum 22.5m frontage. Recognizing that it complies with the minimum required frontage, there is only a 7.69m setback from the face of the garage to the property line which would not allow for a vehicle to be parked in front of the garage and the circular driveway still being functional. Once a vehicle is parked in front of the garage, any benefit and purpose of a circular driveway can be questioned as it would no longer function as a circular driveway.

In addition, this department typically discourages two access locations for a residential property and we cannot see the rationale for having two access points (circular driveway) for this property. There is also a service easement (we believe it's a hydro easement) across the frontage of the property. The easement would not impact the functionality of the driveway, however should any maintenance be required within the easement area in the future, it would be an additional cost to re-instate the additional driveway.





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.

Comments Prepared by: Diana Guida, Junior Planner