

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A165.21 Ward: 7
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 refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway proposing a driveway width of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 569 Fairview Road West

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density II

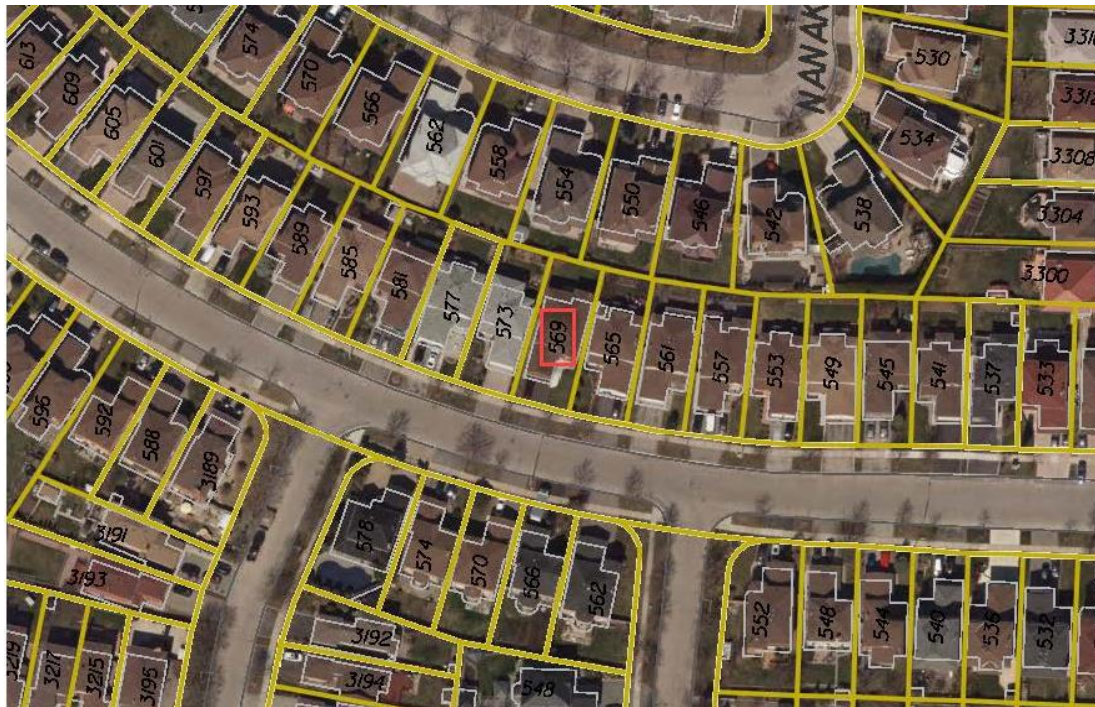
Zoning By-law 0225-2007

Zoning: R4-22 - Residential

Site and Area Context

The subject property is located within the Fairview Neighbourhood Character Area, southeast of Mavis Road and Central Parkway West. The neighbourhood is entirely residential consisting of two storey detached dwellings with vegetation mostly within the municipal boulevard. The subject property contains an existing two storey dwelling with no vegetation within the front yard.

The applicant is proposing an increased driveway width that requires a variance of 8 m whereas a maximum of 6 m is permitted.



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 subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 9 (Preamble), sites will be developed to respect the experience, identity and character of the surrounding context. Furthermore, the intent of the zoning by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. The proposed width of 8 m allows for the driveway to accommodate three vehicles parked side-by-side, which was not envisioned within the by-law. Additionally, it results in the driveway being the prominent feature of the front yard as it makes up more than

50% of the total lot frontage at the expense of soft landscaping. Through a review of the immediate area, properties mostly consist of an appropriate amount of hard surfacing in relation to the greenspace, resulting in a constant streetscape.

Based on the preceding information, staff is of the opinion that the application does not maintain the four tests set out in Section 45(1) of the *Planning Act*.

Conclusion

The Planning and Building Department recommends that the application be refused.

Comments Prepared by: Lucas Petricca, 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.

Comments Prepared by: Diana Guida, Junior Planner