

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): A93.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-03 1:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. A driveway width of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A setback measured to a side lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured to a side lot line of 0.61m (approx. 1.97ft) in this instance.

Background

Property Address: 1046 Hedge Drive

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

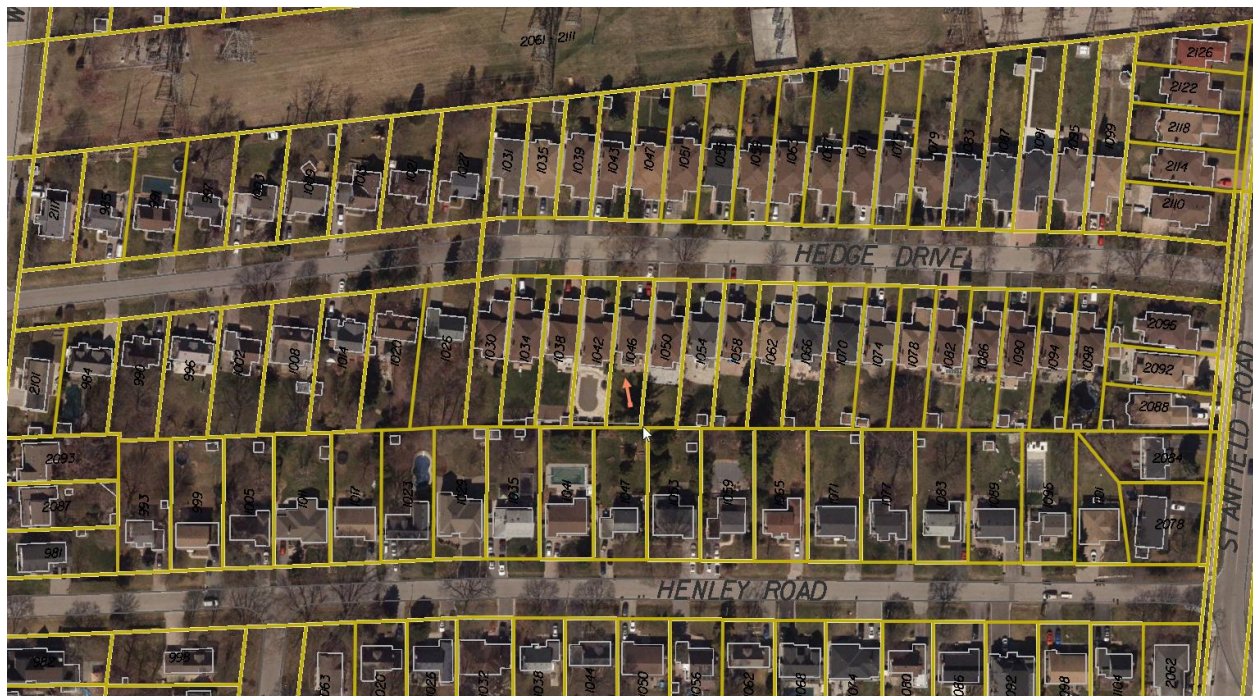
Zoning By-law 0225-2007

Zoning: R4 - Residential

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of North Service Road and East of Cawthra Road. The immediate neighbourhood is entirely residential consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with vegetation in the front yard.

The application was deferred from the March 25th, 2021 Committee of Adjustment hearing. There have been no changes to the overall driveway width. As such, variances are required for an increased driveway width and deficient driveway setback.



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 7.65 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.

Regarding variance #2, the intent of the zoning by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. The applicant is proposing a 0 m setback which eliminates the intent of this portion of the by-law and removes this buffer between neighbouring properties. Additionally, staff generally recommend a setback of 0.30 m to accommodate a swale should one be required in the future to address any drainage related concerns.

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 has no objections, comments or requirements with respect to C.A. 'A' 93/21.

Comments Prepared by: John Salvino, Development Engineering

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