

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A277.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

Consolidated Recommendation

The Planning and Building Department has no objections to variance #2, however recommends that variance #1 be refused.

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 9.4m (approx. 30.8ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.69ft) in this instance; and
2. A driveway setback of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.6m (approx. 1.97ft) in this instance.

Background

Property Address: 6418 Donway Drive

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-26 - Residential

Other Applications: None

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density I. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The driveway, as proposed, represents a significant divergence from both the existing and planned character of the surrounding neighbourhood. The variance does not maintain the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 is to allow a widened driveway on the subject property. The intent of the by-law regarding driveway widths is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The driveway, as proposed, would represent more than 50% of the lot frontage and create a significant amount of hardscaping that would dominate the perception of the property from the street. The subject property does not possess the lot frontage that would support the size of the driveway and remain within the intent of the regulations. Therefore the variance as proposed does not meet the general intent and purpose of the by-law.

Variance #2 proposes a reduced setback between the proposed driveway and the side lot line. The intent of this portion of the 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. In this instance the reduced setback maintains the intent of the buffer between properties and the Transportation and Works Department has raised no drainage issues. Staff are satisfied that this variance meets the general intent and purpose of the zoning by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed variance for the driveway width would permit a driveway that visually dominates the front yard of the subject property and creates an excessive amount of hardscaping whose impact on the streetscape would not be considered minor in nature. The variance, as requested, does not represent desirable or appropriate development of the subject lands.

Conclusion

The Planning and Building Department has no objections to variance #2, however recommends that variance #1 be refused.

Comments Prepared by: Alexander Davies, 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 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments**Minor Variance Application: A-277/21**Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Appendix 6- Conservation Authority Comments

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of this minor variance by the Committee at this time.

Comments Prepared by: Elizabeth Paudel, Junior Planner (Acting)