

City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A502.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway with a driveway width of 8.0m (approx. 26.2ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

Background

Property Address: 5255 Brockworth Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Creditview Road and Bristol Road West intersection in the East Credit neighbourhood. It is a corner lot with a frontage of +/-16.5m (54.13ft) and contains a detached dwelling with an attached garage. Limited vegetation and

landscaping elements are present in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on lots with varying frontages.

The applicant is proposing a widened driveway requiring a variance for driveway width.



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 located within the East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of MOP promotes development (including its features such as driveways) 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 applicant is proposing to widen the subject property's driveway by 2.0m (6.56ft). The planned character of the area is that of dwellings serviced by appropriately sized driveways that can accommodate the parking required by the Zoning By-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway would be able to facilitate the parking of 3 cars across, which is not the intent of the Zoning By-law.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the Zoning By-law. Staff recommend that the application be deferred to allow the applicant to redesign the driveway.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos of the existing driveway. Should Committee see merit in the applicant's request we note that any proposed widening of the driveway should not be located within the city road allowance. The sketch site plan submitted shows part of the proposed widening to be between the front property line and the municipal sidewalk.





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