

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A33.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 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 a widened driveway proposing:

1. A driveway width of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.67ft) in this instance;
2. A side yard setback (easterly) of 0.10m (approx. 0.33ft) to the hard surfaced landscape whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscape in this instance; and,
3. A side yard setback (westerly) of 0.10m (approx. 0.33ft) to the hard surfaced landscape whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscape in this instance.

Recommended Conditions and Terms

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.

Background

Property Address: 4057 Jefton Crescent

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R4 - Residential

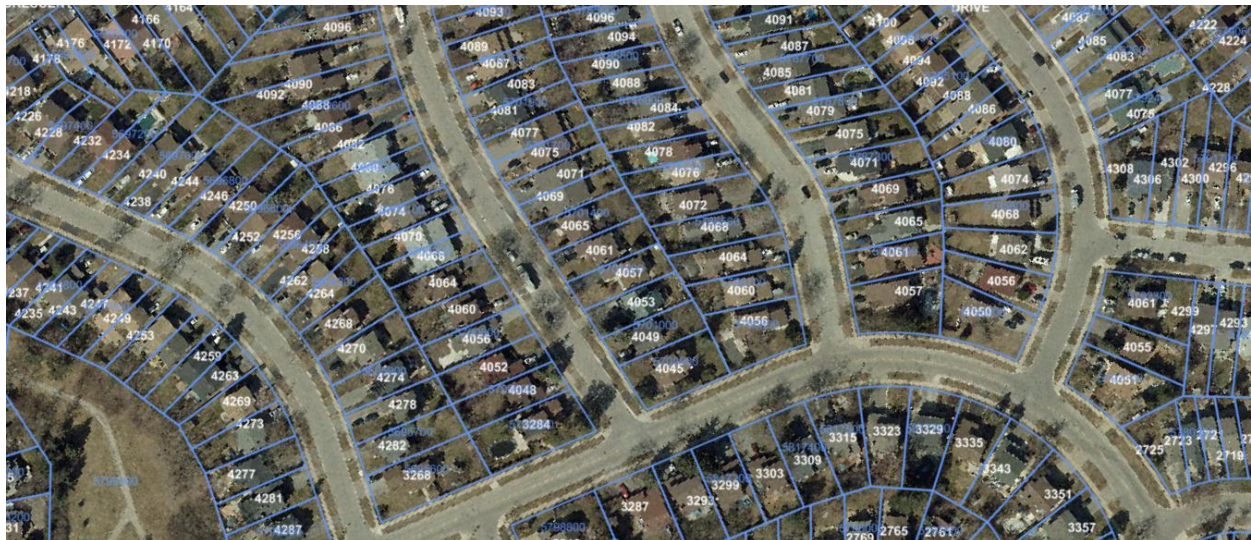
Other Applications:

None

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of the Winston Churchill Boulevard and Burnhamthorpe Road West intersection. The immediate area consists of a mix of dwelling types, including one and two storey detached and semi-detached dwellings with little vegetation contained in the front yards. The subject property contains an existing two storey detached dwelling with little vegetation in the front yard.

The application is seeking to legalize an existing driveway and requires variances for driveway width and driveway setbacks.



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 are as follows:

The subject property is located within the Erin Mills Neighbourhood Area and is designated Residential Low Density I. This designation permits detached, semi-detached, and duplex dwellings.

The intent of regulating driveway widths 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 (front yard). Staff are concerned with the applicant's proposed driveway width as it would create a significant amount of hardscaping in the front yard. The proposed driveway covers more than half of the property's frontage, resulting in the driveway being the predominant feature of the front yard. Furthermore, the applicant is proposing to widen the driveway within the municipal boulevard (the area between the municipal curb and property line).

The intent of regulating driveway setback 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's proposal of a 0.10m (0.33ft) setback is insufficient in providing this buffer or mitigating drainage concerns, as it pertains to the subject lands.

Through discussions with Transportation & Works (T&W) and Zoning staff, Planning staff is of the opinion that additional variances will be required for the proposal. T&W staff have raised significant concerns with a retaining wall in the rear of the property and drainage on the subject property as a whole.

As such, Planning staff recommends deferral of the application to give the applicant an opportunity to redesign the proposal and discuss a revised proposal with Zoning staff to ensure the accuracy of the requested variances and that additional variances are not required. Furthermore, Planning staff echo T&W's comments and recommend that the application be deferred until such time that the applicant has supplied a detailed grading and drainage plan that has been prepared by a P. Eng.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos of the existing property. This Department has a concern with the amount of hard surface that has been created surrounding the dwelling. The concrete walkway that has been constructed along the two side yards causes surface drainage to be forced onto either neighbouring lot on both sides. The downspouts surrounding the dwelling have been buried under the concrete slab and it is not clear exactly where they are discharging. Downspouts cannot be directed in such manor to direct water onto the neighbouring lots.

The applicant has not supplied any details for the construction of the retaining wall at the rear of the property. The City of Mississauga usually asks for structural certifications from a P. Eng. for a wall of this magnitude.

We recommend that this application **be deferred** until such time that the applicant has supplied a detailed grading and drainage plan that has been prepared by a P. Eng. The plan is to include details for the retaining wall as well as show sufficient grading information for this lot and the abutting lots to the west, east and rear of the property to determine that the original intent of the grading that was left by the Developer years ago has not been affected by the construction of the amount of concrete surface and wall.

Furthermore, 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: John Salvino, 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