

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A11.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 1:00:00 PM

Consolidated Recommendation

The City has no objections to variance 2, however recommends that variance 1 be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a circular driveway and an accessory structure proposing:

1. A circular driveway on a lot with a frontage of 20.88m (approx. 68.50ft) whereas By-law 0225-2007, as amended, only permits a circular driveway on a lot with a minimum frontage of 22.50m (approx. 73.82ft) in this instance; and
2. An accessory structure area of 36.72sq.m (approx. 395.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance.

Background

Property Address: 609 Breckenridge Road

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

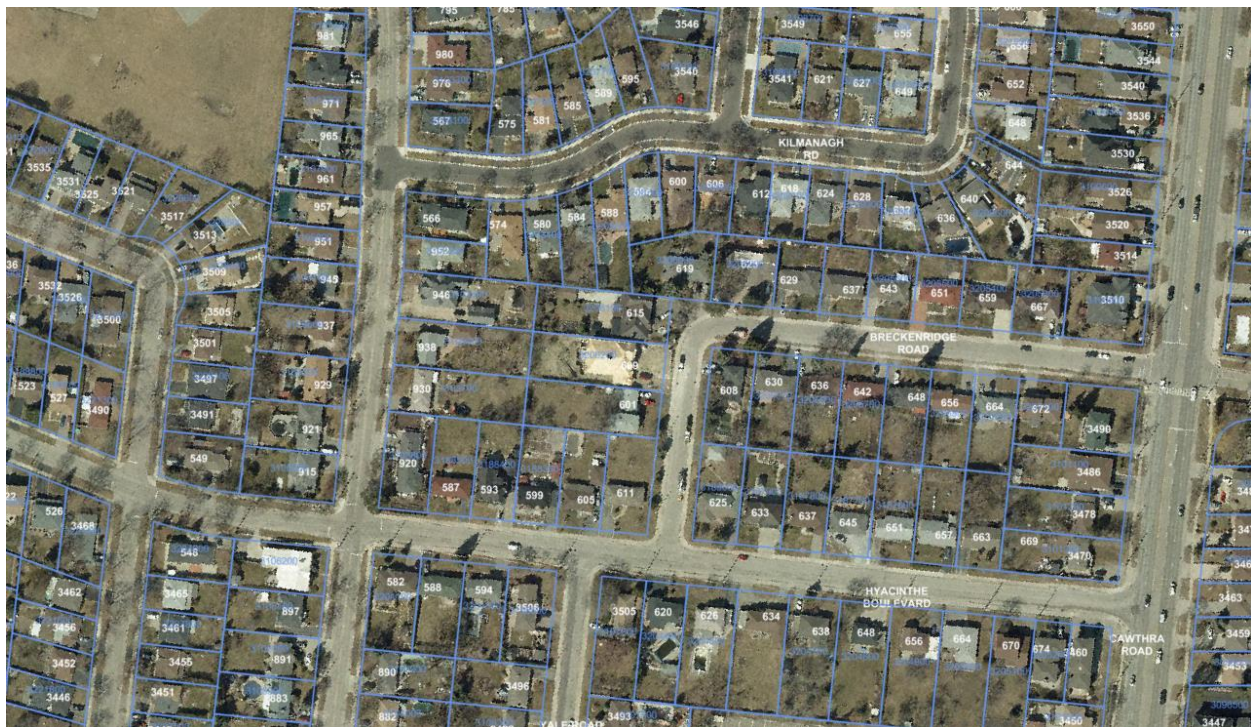
Zoning: R3 - Residential

Other Applications: BP 9NEW 21-8879

Site and Area Context

The subject property is located north-east of the Hyacinthe Boulevard and Mississauga Valley Boulevard intersection. The property has a lot frontage of +/- 20.88m (68.5ft) and a lot area of +/- 1,247.32m² (13,426ft²). The property contains a 2-storey detached dwelling currently under construction with limited landscape and vegetation elements. The surrounding area context is residential in nature and consists exclusively of detached residential dwellings on lots of various sizes. The subject property represents one of the largest lots in the surrounding area.

The applicant is proposing a circular driveway and workshop requiring variances for lot frontage for the driveway and floor area for the workshop.



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 in the Mississauga Valleys Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

This designation only permits detached dwellings in this instance. Section 9 of MOP promotes development 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.

Regarding variance 1, staff are concerned that the proposal represents significant paving in the front yard and is not characteristic for the surrounding area, where circular driveways are not common. Circular driveways are intended to provide the ability to both enter and exit a property fronting onto roads with higher traffic levels. Furthermore, Transportation & Works has raised concerns regarding the proximity of the proposed northerly driveway entrance to the curve of Breckenridge Road. Planning staff are therefore of the opinion that variance 1 does not meet the four tests of a minor variance as it is not compatible with existing site conditions or the surrounding context, does not maintain the general intent of the zoning by-law, and is not minor in nature.

Variance 2 requests an increased floor area for an accessory structure in the rear yard. The intent of accessory structure regulations within the zoning by-law is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. The applicant has worked with staff to reduce the floor area of the structure and remove the height variance request, thereby limiting the massing impacts on abutting properties. The structure represents less than 3% of the lot area and, in the opinion of staff, is clearly accessory to the dwelling on the property. The lot is large enough to accommodate the increased structure size. Staff note that large accessory structures are present in the surrounding neighbourhood. Staff are satisfied that the proposed accessory structure meets the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Given the above, Planning staff have no objections to variance 2 however recommend that variance 1 be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As indicated in our previous comments this department does not see the rationale and does not support Variance #1 to allow a circular driveway on this property. We note that under the existing Building Permit Application 20-4135 and Access Modification Permit #63403, the driveway approved for this property was a single driveway on the southerly portion of the property.

It should also be noted that the proposed northerly leg of the circular driveway would be located in a location which would be in very close proximity to the road curvature for Breckenridge Road which may create sight visibility concerns for any vehicles, both for vehicles traveling on the roadway or exiting the driveway. From the enclosed photos we also note that the abutting properties to the north, 615 and 619 Breckenridge Road have a shared driveway and this was probably a result of the proximity to the road curvature.

In addition, this department typically discourages two access locations for a residential property and having two access points also reduces on street parking spaces.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-8879. Based on review of the information currently available in this permit application, variances 1, as requested is correct. However, please note the following Zoning Regulations for the proposed circular driveway:

4.1.9.11

- A circular driveway shall not cover more than 50% of the yard in which it is located; (0190-2014)

4.1.9.12

- The combined width of the two points of access of a circular driveway shall not exceed 8.5 m; (0190-2014), (0212-2015)

In addition, we advise that variance 2 can't be confirmed at this time as the applicant has not provided updated information in the Building Permit. Furthermore, the applicant has yet to provide the Established Grade calculation to confirm the maximum height.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner