

City of Mississauga Department Comments

Date Finalized: 2022-09-14	File(s): A405.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-09-22 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 5.2m (approx. 17ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.44m (approx. 14.5ft) in this instance.

Background

Property Address: 1169 Barnswallow Crt

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R5 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Bristol Road West and Loonlake Avenue intersection in the East Credit Neighbourhood. It contains a two storey detached dwelling with an attached single car garage and backs onto the Braeben Golf Course. The lot has a lot

frontage of +/-9.26m (30.38 ft.) and an area of +/-404.65m² (4,355.76 sq.ft.). There is very little vegetation on the subject property, in contrast to surrounding lots with mature vegetation in the front yard.

The applicant is proposing to modify the existing 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 in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The intent of limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping.

Staff note that driveways wide enough to facilitate the parking of two vehicles side by side are characteristic of the area. The proposed driveway is an appropriate width to accommodate two vehicles across, while maintaining an appropriate soft landscaped area within the front yard.

Planning staff are satisfied that the proposed driveway width variance is minor in nature, represents appropriate development of the subject property, and maintains the intent of both the official plan and zoning by-law.

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

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy application, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. City owned lands, Braeben Golf Course (P-430) abuts the rear of the applicant's property.
2. If future construction is require, access from the adjacent City owned lands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner