

# City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A421.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance application to permit an existing driveway proposing a width of 5.85m (approx. 19.19ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance.

### Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note variance #2 should be added to the application as follows:

2. A side yard setback (westerly) of 0.07m (0.23ft) to the driveway whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (2.00ft) to the driveway in this instance.

## Background

**Property Address:** 640 Tupelo Crt

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

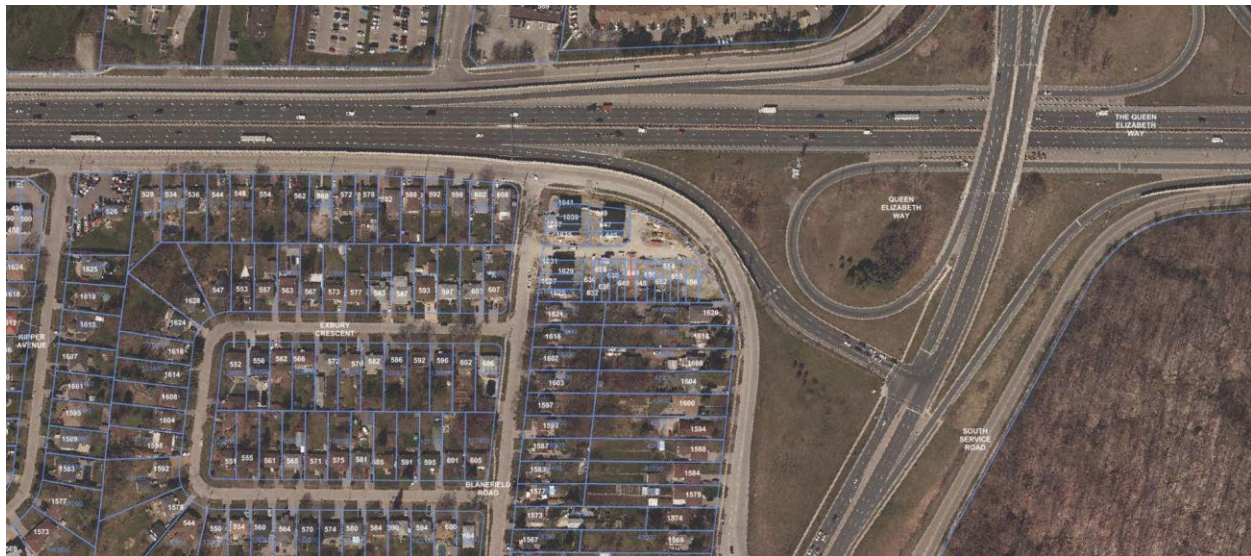
**Zoning:** RM6-12 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southeast of the South Service Road and Blanefield Road. The subject property is located within a townhouse complex on a common element condominium (CEC) road, south of the Queen Elizabeth Way. The surrounding area contains a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a three-storey townhouse dwelling with little vegetation in the front yard.

The applicant is seeking variances related to the driveway width and setback.



## 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 Mineola Neighbourhood and is designated Residential Medium Density. This designation permits all forms of townhouse dwellings.

Variance #1 relates to driveway width. 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. It is staff's opinion that the proposed driveway width does not meet the intent of the zoning by-law provision, as it provides more parking than is required for the lands and does not allow for the remainder of the lands to be soft landscaping.

Variance #2 relates to driveway setback. 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 0.07m (0.23ft) setback is insufficient in providing this buffer or a swale to adequately provide for drainage.

As such, Planning staff recommends deferral of the application in order to give the applicant an opportunity to redesign the proposal and discuss a revised proposal with Zoning staff that will ensure the accuracy of the requested variances and that no additional variances would be required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 421/22.

Comments Prepared by: John Salvino, 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: Andrea Patsalides, Zoning Examiner