

City of Mississauga Department Comments

Date Finalized: 2022-02-23	File(s): A463.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-03 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction a driveway proposing a driveway width of 8.49m (approx. 27.85ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 7.62m (approx. 25.00ft) in this instance.

Background

Property Address: 6115 Edenwood Dr

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Britannia Road West and Winston Churchill Boulevard intersection in the Meadowvale neighbourhood. It has a lot frontage of +/-14.1m (46.3ft) and currently contains a detached dwelling with an attached garage. Some mature

vegetation is present in the front yard. The surrounding context is residential, consisting of detached dwellings on lots of varying sizes and frontages.

The applicant is proposing to legalize the existing driveway on the subject property 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 Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff note that the proposal has not materially changed since the original hearing and continue to have concerns with the proposal, specifically the hammerhead design and its impacts on abutting properties as well as the streetscape. Furthermore Transportation and Works staff continue to express safety concerns which are echoed by Planning staff.

While in theory staff do not have objections to the width of the upper portion of the driveway or the walkway attachments, staff note that these variances have not been properly identified and

City Department and Agency Comments	File:A463.21	2022/02/23	3
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are therefore unable to fully evaluate this portion of the driveway against the four tests as set out in the Planning Act.

Given the above, City staff recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the widened driveway which the applicant has described as a "Hammer Head" driveway. Based on city standards, this "parking spot" in no way resembles a hammer head driveway as there is only to be a limited area to turn a vehicle around and not to park a vehicle in the hammerhead area.

From our site inspection and the enclosed photos we note that the widened driveway has been constructed on an angle in close proximity to the Edenwood Drive road allowance and surrounded by heavily vegetated evergreen trees/shrubs. Acknowledging that there is a municipal sidewalk in very close proximity to the widened driveway, the city must ensure that sight visibility and vehicle manoeuvrability is not impacted for any vehicles exiting the driveway for both pedestrians on the sidewalk or vehicles on the roadway.

We should also note to the applicant that even with the removal of the heavily vegetated evergreen trees/shrubs, this department would still not be in support of the request as sight visibility concerns would remain.

In view of the above, this department **cannot support** the application and should be refused and the widened driveway be reinstated with topsoil and sod.





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