

# City of Mississauga Department Comments

Date Finalized: 2023-01-18	File(s): A90.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the variances and to determine if additional variances are required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway and pedestrian entrance with:

1. A driveway width of 6.49m (approx. 21.29ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
2. A pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

## Background

**Property Address:** 4056 Barbican Drive

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

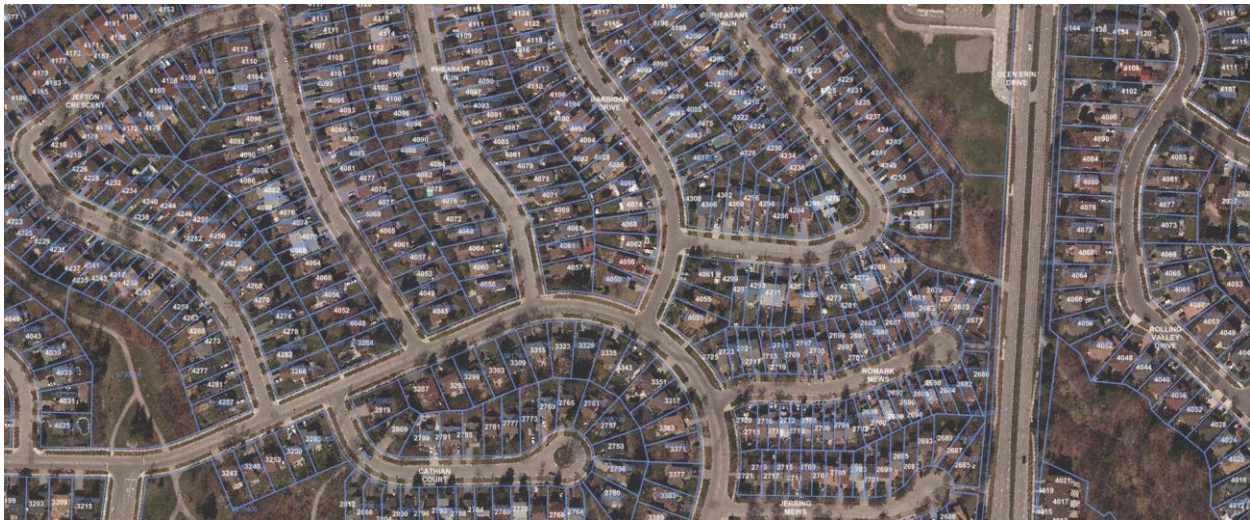
**Zoning:** R4 - Residential

**Other Applications:** SEC Unit 21-8453

## Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, northwest of Burnhamthorpe Road West and Glen Erin Drive. North of the subject property is Pheasant Run Park. The neighbourhood is entirely residential consisting of one and two storey detached dwellings and semi-detached dwellings, on lots with mature vegetation in the front and side yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant is requesting to permit an existing driveway and pedestrian entrance to remain requiring variances related to driveway width and location of the pedestrian entrance.



## 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*.

The Committee previously deferred the application on February 17, 2022. Staff noted concerns with the proposed driveway width and were of the opinion that the proposal may require additional variances. The applicant has confirmed the accuracy of the requested variances with Zoning staff. No additional variances are required for the proposal. The applicant is proposing the same variances.

Staff comments concerning the application are as follows:

The subject property is located within the Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings and secondary units.

Variance #1 relates to a pedestrian entrance facing a street. The intent of the by-law in prohibiting a below grade entrance in the front/exterior yard and facing a street is to prevent a negative visual impact to the overall streetscape. Staff note that a retaining wall and large hedge screen the below grade entrance, therefore the pedestrian entrance poses negligible visual impacts to the streetscape.

Variance #2 relates to driveway width. The intent of this portion of the by-law 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. Staff note the variance requested is to accommodate a portion of the existing driveway. The remainder of the driveway is 3.7m (12.14ft) wide, which is well below the 6m (19.69ft) maximum. Furthermore, based off the applicant's drawings, only two parking spaces can be accommodated on the existing driveway and the remainder of the front yard is soft landscaping.

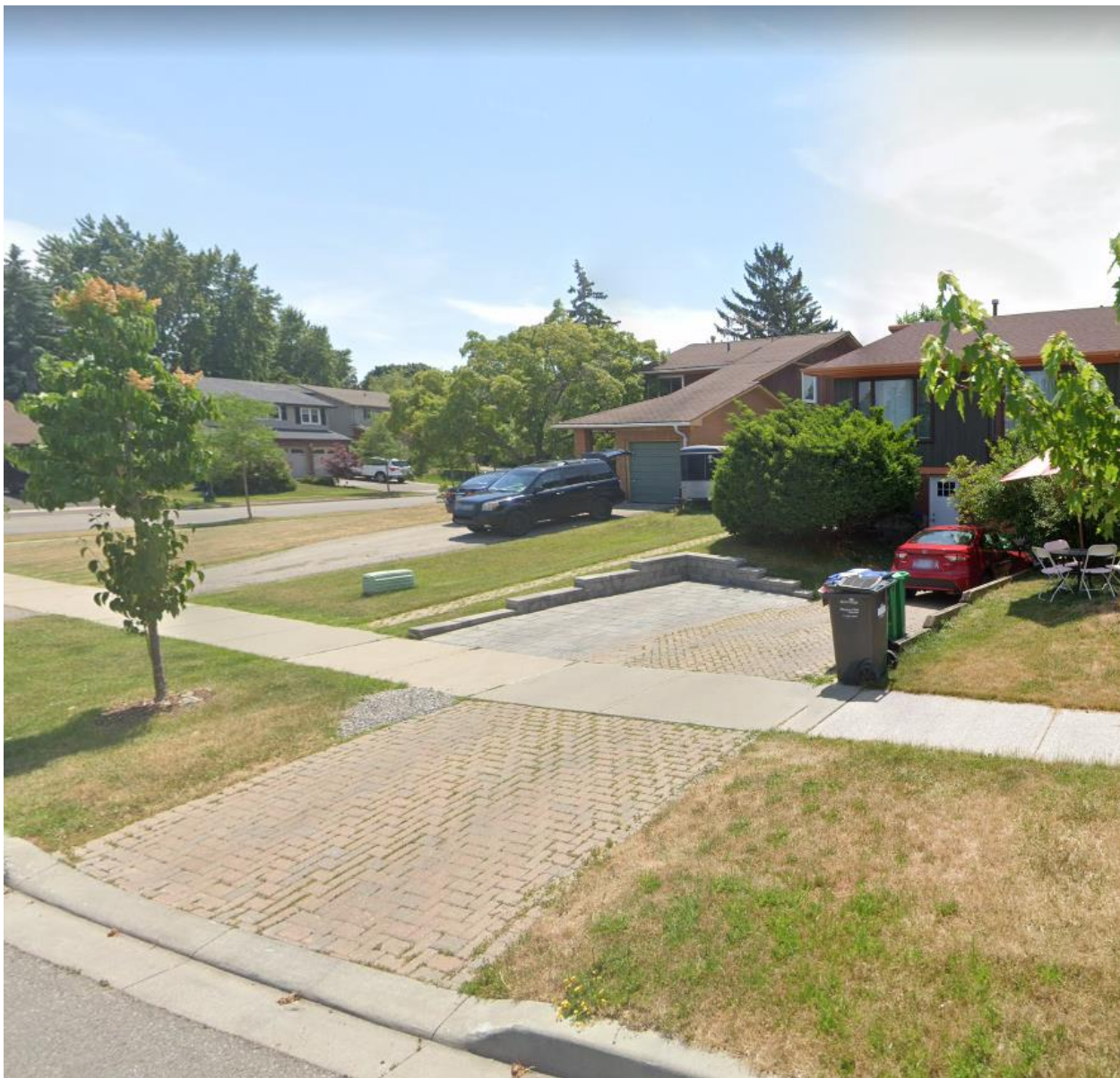
Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information is a current photo of what the completed driveway extension looks like. We have no drainage related concerns, although we do question how a vehicle can safely enter/exit the parking spot without encroaching over the boulevard sodding when there are two vehicles parked in tandem on the driveway. From the photo you can see that the owners have already placed gravel over a small corner of the sodded area.



Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file SEC UNIT 21-8453. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Maria Fernandez, Zoning Examiner