

City of Mississauga Department Comments

Date Finalized: 2023-02-01	File(s): A741.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-02-09 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve minor variances to maintain an existing driveway and walkway proposing:

1. A driveway width of 9.27m (approx. 30.41ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance;
2. A minimum front soft landscaped area of 34.34% whereas By-law 0225-2007, as amended, requires a minimum front soft landscaped area of 40% in this instance; and,
3. A minimum distance of 0.146m (approx. 0.47ft) from the driveway to a side lot line whereas By-law 0225-2007, as amended, requires a minimum distance of 0.6m (approx. 1.96ft) from a driveway to a side lot line in this instance.

Background

Property Address: 2515 Privet Crescent

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-Residential

Other Applications: PREAPP 22-3458

Site and Area Context

The subject property is located south-west of the Dundas Street West and Confederation Parkway intersection in the Cooksville neighbourhood. It currently contains a two-storey detached dwelling with limited landscaping and vegetative elements in the front yard. The property is a pie lot on the exterior of the road curve and has a slightly smaller frontage than surrounding interior lots. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of generally uniform sizes.

The applicant is proposing to legalize the existing driveway, requiring variances for driveway width, setback, and soft landscaped area.



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 property is located within the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context.

Variance 1 relates to the driveway width, variance 2 requests a reduction in soft landscaped area in the front yard, and variance 3 proposes a reduced setback to the driveway. The intent of the driveway width and soft landscaping regulations in the by-law are to allow a driveway that can accommodate the required parking, with the remainder of the front yard being soft landscaped area. This ensures appropriate landscaping is factored into the front yards of properties in order to maintain the character of the larger neighbourhood. The subject property's driveway represents a significant amount of hardscaping, which presents a significant impact to the streetscape and is out of character with the surrounding context. Furthermore staff note that the proposed driveway would be able to accommodate the parking of three vehicles across, contrary to the intent of the zoning by-law.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the official plan or zoning by-law and is not minor in nature. Staff therefore recommend that the application be refused.

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

The Building Department is currently processing a Preliminary zoning Application under file PREAPP 22-3458. 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

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services