

# City of Mississauga Department Comments

Date Finalized: 2023-02-01	File(s): A468.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing dwelling proposing:

1. An accessory structure area of 49.11sq m (approx. 528.62sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
2. A walkway width (attached to a driveway) of 5.99m (approx. 19.65ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
3. A combined width of the two access points for a circular driveway of 14.91m (approx. 48.92ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance;
4. A driveway width of 10.36m (approx. 33.99ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance and,
5. A lot coverage of 26.93% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance.

## Background

**Property Address:** 1459 Stavebank Road

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

## Zoning By-law 0225-2007

**Zoning:** R1-2 - Residential

**Other Applications:** Building Permit under file BP 9NEW 22-3742.

## Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Stavebank Road and Indian Valley Trail. The immediate area consists of a mix of detached dwellings on large lots with mature vegetation. The subject property contains an existing two-storey dwelling with vegetation in the front yard.

The applicant is proposing a circular driveway and accessory structure requiring variances related to accessory structure area, walkway width, combined width of access points, driveway width and lot coverage.



## 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 situated within the Mineola Neighbourhood, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. Driveway widths should respect the identity and character of the surrounding area. The planned

context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways and setbacks with the remainder of the property's frontage serving in the form of a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from a majority of lots within this neighbourhood, which defines the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan.

Variances #2, 3 and 4 pertain to walkway and driveway widths. Under the zoning by-law, the maximum driveway width permitted on a property of this size is 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89 ft.) beyond the 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3-car garage, while also limiting the driveway width closer to the street in order to mitigate any potential impacts to the streetscape. The proposed driveway and walkway widths represent a significant amount of unnecessary hardscaping that is not reflective of the immediate area and staff is of the opinion that the driveway will impact the established streetscape. Furthermore, the additional width requested in variance #4 is not to facilitate the entrance of a 3-car garage. As such, staff is of the opinion that the applicant's proposal does not meet the intent of the zoning by-law.

While staff has no immediate concerns regarding variances #1 and 5 pertaining to the accessory structure, staff is of the opinion that the application should be deferred to allow the applicant an opportunity to redesign the proposed driveway.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We advise that we have consulted with our Development Construction Section with regards to the drainage in this area and we do not have a grading concern with what has been built on site.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-3742. Based on review of the information currently available in this permit application, the variances related to the proposed accessory structure, as requested are correct.

Furthermore, we advise that the minor variances related to the driveway have not been reviewed and the applicant may wish to seek a Preliminary Zoning Review application.

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: Gary Gagnier, Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows. Should the application be approved, Community Services provides the following notes:

The lands to the rear of the property are owned by the City of Mississauga, identified as Not Yet Named (P-510)\* (Between Indian Valley Trail and Kenollie Ave, East of Stavebank Rd.) and zoned R1-2 – Residential.

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant