

City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A20.23 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 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 permit an existing driveway proposing a driveway width of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 5285 Naskapi Crt

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-22 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Eglinton Avenue West and McLaughlin Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited vegetative/landscaping elements are present in the front yard. The property has a lot frontage of +/- 12.2m (40ft), characteristic of detached dwellings on Naskapi Court. The

surrounding context is exclusively residential, consisting of a mix of detached and semi-detached/link dwellings.

The applicant is proposing a widened driveway 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 Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The intent of limiting driveway widths is to only permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling and allow the parking of two vehicles across, with the remainder of lands in the front yard being soft landscaping.

The subject property has a frontage of +/- 12.2m (40ft), and the proposed driveway would represent over 66% of the front yard area. Furthermore the driveway width can 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 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

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 Permit, 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: Brooke Herczeg, Zoning Examiner

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Appendix 3 – Region of Peel

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner