

City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A38.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to permit an existing driveway proposing a driveway width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 3692 Morning Star Dr

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1- Residential

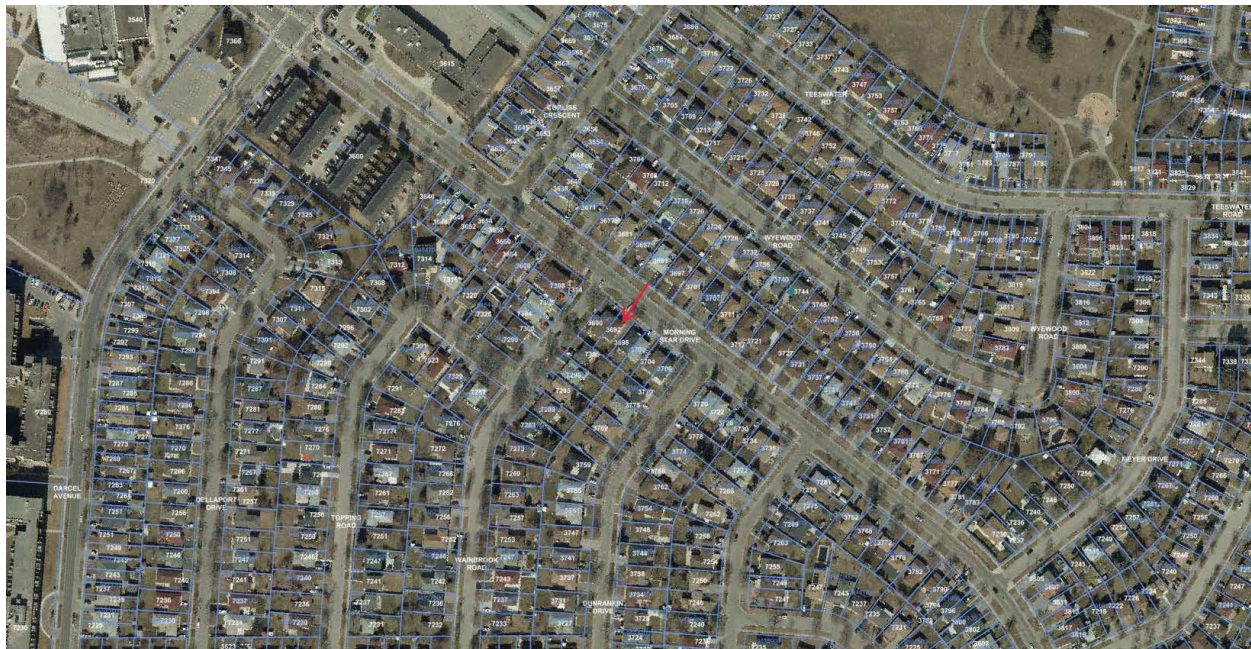
Other Applications:

Site and Area Context

The subject property is located on the south side of Morning Star Drive, east of the Darcel Avenue intersection. It currently contains a semi-detached dwelling with a reverse grade driveway. Limited landscaping/vegetative elements are present in the front yard. The property

has a frontage of +/- 12.1m (39.7ft), which is characteristic of semi-detached dwellings along this portion of Morning Star Drive but larger than other semi-detached dwellings in the surrounding area. The surrounding are context is predominantly residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing to legalize the existing 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 Malton 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 the driveway width is to permit a

driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping.

The subject property has a wider frontage than average for a semi-detached dwelling and is therefore able to accommodate a wider driveway than permitted under the by-law without the hardscaping becoming overbearing to the streetscape. Staff are satisfied that the width will restrict the parking of more than two vehicles across and maintain a sufficient soft landscaping area reflective of the surrounding area character.

Planning staff are satisfied that the proposed driveway width variance is minor in nature, represents appropriate development of the subject property, and maintains the intent of both the official plan and zoning by-law.

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.

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: Sherri Takaloo, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner