

City of Mississauga Department Comments

Date Finalized: 2023-03-22	File(s): A41.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-03-30 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.

Application Details

The applicant requests the Committee to approve a minor variance to permit an existing driveway proposing:

1. A driveway side yard setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.6m (approx. 1.97ft) in this instance; and,
2. A driveway width of 6.67m (approx. 21.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 877 Aviation Rd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential, consisting primarily of one, two and three storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey detached dwelling with minimal vegetation in the front yard.

The applicant is requesting to legalize an existing driveway proposing variances for driveway setback and 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 are as follows:

The subject property is located in the Lakeview 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.

Variance #1 pertains to a driveway setback. The intent of this portion of the by-law is to allow for appropriate drainage and provide a visual separation between properties. Variance #2 pertains to driveway width. The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations is to permit a driveway wide enough to accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area.

Staff have completed a review of the application and surrounding area and note several instances of attached oversized driveways along this section of Aviation road. Furthermore, staff are satisfied that the proposed width will restrict the parking to no more than two vehicles across and maintain a sufficient soft landscaping area consistent with the character of the surrounding area.

As such, staff are of the opinion that the application is appropriate to be handled through the minor variance process, and that 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 are photos of the existing driveway. Regarding the Minor Variance for the 0m setback for the driveway, it appears that both this owner and the property owner to the left (873 Aviation Road) currently share this asphalt drive isle to access the existing detached garages in the rear of both properties. We have no drainage related concerns.





Comments Prepared by: John Salvino, 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

Appendix 3- Region of Peel

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner