

City of Mississauga Department Comments

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| Date Finalized: 2023-03-22 | File(s): A46.23 |
| To: Committee of Adjustment | Ward: 4 |
| From: Committee of Adjustment Coordinator | Meeting date:2023-03-30 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 allow an existing driveway proposing:

1. A driveway width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 5.20m (approx. 17.06ft) in this instance; and,
2. A walkway width of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 4740 Westbourne Terr

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5- Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Eglinton Avenue West and Confederation Parkway intersection in the Hurontario neighbourhood. It is an interior lot containing a two-storey end unit townhouse dwelling with an attached garage. No vegetative elements are present in the front yard. The property has an approximate lot frontage of +/- 9m (29.5ft), which is wider than most other townhouse lots in the area. The surrounding context is predominantly residential, consisting of two-storey townhouse and detached dwellings with attached garages.

The applicant is proposing a modified driveway requiring variances for driveway width and walkway attachment.



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 Medium Density 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 applicant is proposing to reduce the existing driveway width to 6.20m (20.34ft). 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 in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The intent of the walkway attachment regulations are to provide a convenient and dedicated pathway to accommodate pedestrians as well as define an entryway to the dwelling, while ensuring the walkway cannot be utilized for parking purposes.

Staff are satisfied that the width will only accommodate the parking to no more than two vehicles across and maintains sufficient soft landscaping area to maintain the character of the surrounding area. Furthermore, while the proposed walkway attachment is generally larger than staff support, staff are satisfied that the proposed walkway will not facilitate the movement of vehicles due to the projection of the porch and stairs.

Staff are of the opinion that, as currently proposed, the driveway maintains the general intent and purpose of the zoning by-law, represents appropriate development of the subject property, and is minor in nature.

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

Appendix 3- Region of Peel

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner