

# City of Mississauga Department Comments

Date Finalized: 2023-04-05	File(s): A655.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-04-13 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 allow an existing driveway proposing:

1. A driveway width of 9.87m (approx. 32.38ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
2. A driveway setback from the property line of 0.0m whereas By-law 0225-2007, as amended, requires a driveway setback from the property line of 0.6m (approx. 1.97ft) in this instance.

## Background

**Property Address:** 6145 Camgreen Circle

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

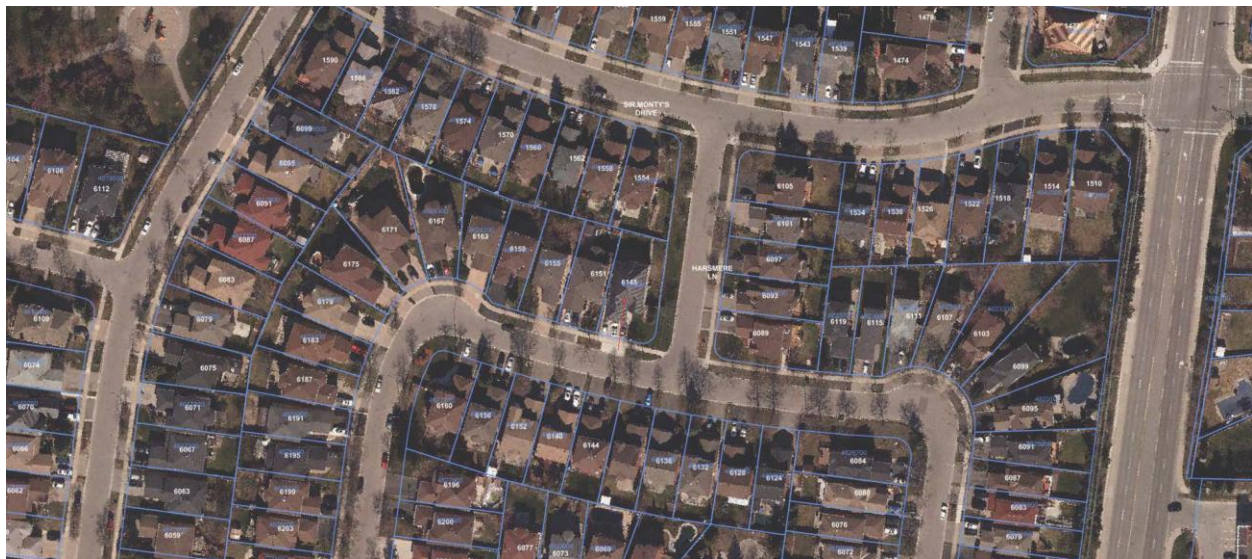
**Zoning:** R4-10 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located north-west of the Creditview Road and Britannia Road West intersection. It is a corner lot and currently contains a two-storey detached dwelling with an attached garage. Limited vegetative/landscaping elements are present in the front yard of the property. The surrounding area context is exclusively residential, consisting of two-storey detached dwellings with attached garages on lots of similar sizes.

The applicant is proposing to modify the existing driveway requiring variances for driveway width and setback.



## 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 East Credit Neighbourhood Character Area and is designated Residential Low Density I 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 subject application was previously before the Committee at the January 12, 2023 hearing. The applicant has since reduced the proposed driveway width from 12.09m (39.67ft) to 9.87m (32.38ft) and is proposing the installation of garden beds. 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 the necessary parking required under the zoning by-law, with the remainder of the front yard being soft landscaped area. The intent of the driveway setback regulation is to ensure appropriate drainage can be maintained and a visual separation of properties is provided.

Planning staff remain of the opinion that the proposal represents a significant amount of hardscaping that is out of character for the surrounding area. The proposed garden beds are small and spaced out, leaving hardscaping between them which continues to impact the streetscape. The applicant notes that a 10.5m driveway width is permitted within 6m of the garage face, however that provision requires that this width be providing direct vehicular access to the garage. In this instance, given the property contains a two car garage, much of the width does not directly service a garage door and the provision may therefore not be applicable. Furthermore staff are unsupportive of the 0 metre setback as it is uncharacteristic of the larger area context.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the official plan or 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.

We do acknowledge and have concerns the applicant's revised proposal to add two new garden beds in front of the stone wall which would prohibit a fourth car from parking and eliminate any vehicle from using this area of the driveway to manoeuvre as this can only be viewed as a temporary solution.







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**

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner