

City of Mississauga Department Comments

Date Finalized: 2023-05-03	File(s): A48.23 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-05-11 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 variance 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 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 2886 Rainwater Dr

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-5- Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Winston Churchill Boulevard and Tradewind Drive intersection in the Meadowvale neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. A mature tree is present in the front yard. The

property has an approximate lot frontage of 11m (36ft), generally in line with other lots in the area. The surrounding context is exclusively residential, consisting of two-storey detached dwellings with attached garages on similarly sized lots.

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 Meadowvale 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 applicant is proposing a driveway width of 7.00m (22.96ft). 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. Staff are satisfied that the width will restrict the parking to no more than two vehicles across and maintains sufficient soft landscaping area to maintain the character of the surrounding area.

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. 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 – Metrolinx

Metrolinx is in receipt of the minor variance application for 2886 Rainwater Dr to permit an existing driveway with increased dimensions. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- As the requested variance has no implication on Metrolinx property (i.e. Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised the following:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Intern

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner