

City of Mississauga Department Comments

Date Finalized: 2023-05-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A113.23 Ward: 6
	Meeting date:2023-05-11 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a driveway proposing a driveway width of 12.00m (approx. 39.37ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1754 Riverbrook Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-7 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the west side of River Grove Avenue, south of the Britannia Road West intersection. It currently contains a two-storey detached dwelling with an attached garage. It is a corner lot with a lot frontage of +/- 18.77m (61.58ft) which is slightly larger than surrounding lots. Limited landscaping and vegetative elements are present in both the front and

exterior side yards. The surrounding area context is exclusively residential, consisting of detached dwellings on lots of generally similar sizes.

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 East Credit 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 subject application proposes driveway width of 12.00m (39.37ft). 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 permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area.

Planning staff remain of the opinion that the proposal represents a significant amount of hardscaping that is out of character for the surrounding area. Furthermore staff note that the

driveway would be able to accommodate the parking of more than three vehicles across, contrary to the intent of the zoning by-law.

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 deferred in order to allow the applicant to redesign the driveway.

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.

Comments Prepared by: Patrycia Menko, Junior Planner