

City of Mississauga Department Comments

Date Finalized: 2023-05-03	File(s): A124.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-05-11 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests to Committee to approve a minor variance application to allow the existing built dwelling proposing:

1. A driveway width of 12.31m (approx. 40.39ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 9.43m (approx. 30.94ft) in this instance;
2. A walkway width adjacent to the driveway of 6.39m (approx. 20.96ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width adjacent to the driveway of 1.50m (approx. 4.92ft) in this instance;
3. An interior side yard setback to the porch of 0.85m (approx. 2.79ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
4. An interior side yard setback to a concrete pad of 0.82m (approx. 2.69ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 2217 Courier Lane

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

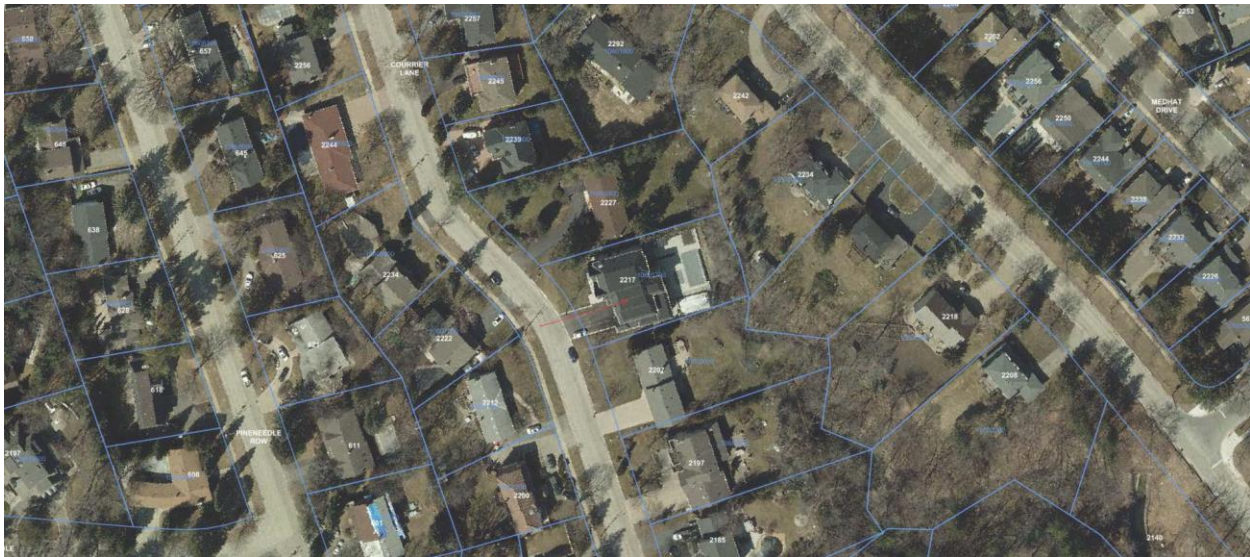
Zoning: R1-8 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Queensway West and Stavebank Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Some vegetative elements are present in the rear yard, near the rear property line. The surrounding area context is exclusively residential, consisting of one and two-storey detached dwellings on lots of varying sizes.

The applicant is proposing to legalize as built conditions requiring variances for driveway width, walkway attachment, and side yards.



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 driveways should respect the identity and character of the surrounding context.

The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate the required parking under the zoning by-law, with the remainder of the front yard being soft landscaped area. The intent of the walkway attachment provision is 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.

Planning staff are of the opinion that the proposed walkway is excessive in size and would be able to facilitate the parking of an additional vehicle, contrary to the intent of the zoning by-law. Staff find that the request is not minor in nature and recommend that the application be deferred in order to allow the applicant to reduce the size of the walkway attachment.

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 – Credit Valley Conservation

Although the property appears to be regulated based on our mapping, I can confirm that the proposed development is outside of CVC's regulated area. CVC review/approval are not required. As such, CVC will not be providing comments on the application.

Comments Prepared by: Beata Pakulski, Junior Planner

Appendix 4- Region of Peel**Minor Variance Application: A-124/23 – 2217 Courier Lane**

Development Planning: Patrycia Menko (905) 791-7800 x3114

Comments:

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC) and floodplain. We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Patrycia Menko, Junior Planner