

# City of Mississauga Department Comments

Date Finalized: 2023-05-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A514.22 Ward: 7
	Meeting date:2023-06-01 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 an existing driveway proposing a driveway width of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.45m (approx. 14.60ft) in this instance.

## Background

**Property Address:** 2491 Edenhurst Dr

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3- Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the King Street East and Camilla Road intersection in the Cooksville neighbourhood. It currently contains a detached bungalow with some vegetative elements in the front yard. The property has a lot frontage of +/- 19.2m (63ft), characteristic of other lots containing detached dwellings in the area. The surrounding area

context is predominantly residential, consisting of detached dwellings on lots of varying sizes. The property backs onto Red Oaks Park.

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 Cooksville 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 applicant is proposing a driveway width of 7.31m (23.98ft). 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 required parking under the zoning by-law, with the remainder of the front yard being soft landscaped area. While two car wide driveways are present in the surrounding context, the proposal represents excessive width to facilitate the parking of two vehicles across.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred.

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 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Red Oaks Park (P-103) and zoned OS1 – Open Space – Community Park.

Should the application be approved, Community Services provides the following notes:

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

**Appendix 4 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner