

City of Mississauga Department Comments

Date Finalized: 2023-05-16	File(s): A136.23 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-05-25 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 existing driveway proposing:

1. A driveway width of 10.83m (approx. 35.53ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A driveway setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
3. Front yard soft landscaping of 14.61% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscaping of 40% in this instance.

Background

Property Address: 5555 Millbrook Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-20 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Creditview Road and Bristol Road West intersection in the East Credit neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative elements are present in the front yard. The property has an approximate lot frontage of 12m (39.4ft), characteristic of other lots in the area. The surrounding context is predominantly residential, consisting of detached dwellings on lots of generally similar sizes.

The applicant is proposing to legalize the existing driveway requiring variances for driveway width, driveway setback, and soft landscaped area.



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.

Variance 1 relates to the driveway width, variance 2 proposes a reduced setback to the driveway, and variance 3 requests a reduction in soft landscaped area in the front yard. The

intent of the driveway width and soft landscaping regulations in the by-law are to allow a driveway that can accommodate the required parking, with the remainder of the front yard being soft landscaped area. This ensures appropriate landscaping is factored into the front yards of properties in order to maintain the character of the larger neighbourhood. The subject property's driveway represents a significant amount of hardscaping, which presents a significant impact to the streetscape and is out of character with the surrounding context. Furthermore staff note that the proposed driveway would be able to accommodate the parking of four 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.

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