

City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A209.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 3:30:00 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 a driveway proposing a driveway width of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 6857 Forest Park Drive

Mississauga Official Plan

Character Area: Lisgar NHD
Designation: **Residential Low Density II**

Zoning By-law 0225-2007

Zoning: R4- Residential

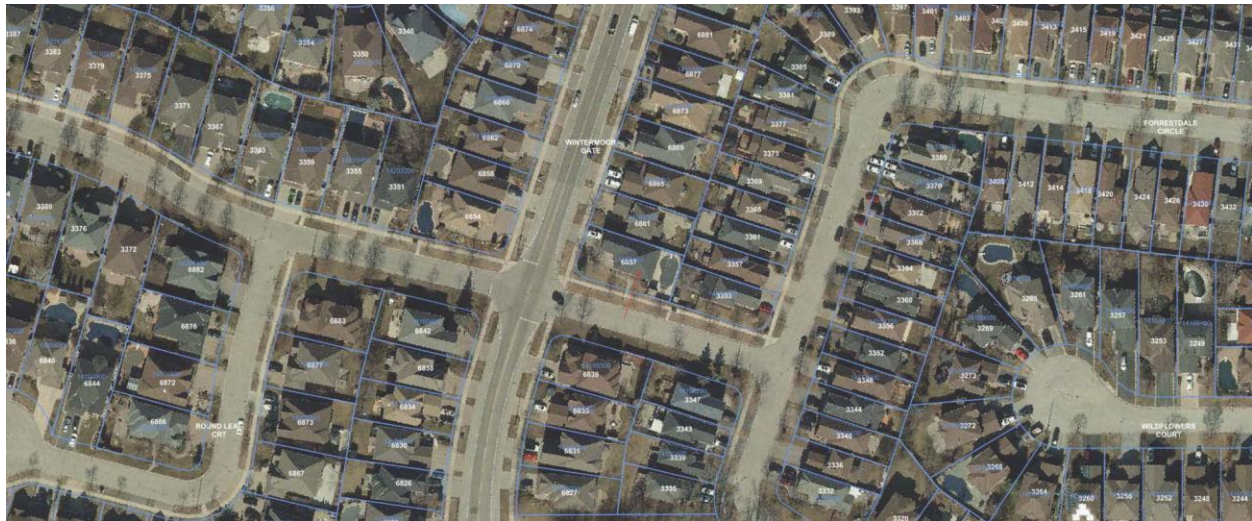
Other Applications: None

Site and Area Context

The subject property is located on the north-east corner of the Forest Park Drive and Wintermoor Gate intersection. It currently contains a two-storey detached dwelling with an attached garage. It is a corner lot with a lot frontage of +/- 17.80m (+/- 58.4ft) and a lot area of +/- 559.23 m² (+/- 6019.50 ft²) 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 modifications to the 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 Lisgar 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 a driveway width of 8.50m (approx. 27.89ft). 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 are 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 3 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: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

We note that no alterations have yet been completed for the driveway in accordance with the minor variance application. Enclosed for the Committee's easy reference are photos depicting the subject property.





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