

City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A238.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 9.14m (approx. 29.99ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 2293 Erin Centre Blvd

Mississauga Official Plan

Character Area: **Central Erin Mills NHD**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

Zoning: **R2-9- Residential**

Other Applications: None

Site and Area Context

The subject property is located north-west of the Erin Centre Boulevard and Forest Hill Drive intersection. It is an interior lot containing a two-storey detached dwelling with an attached three car garage. Some landscaping and vegetative elements are present in the front yard. The property

has an approximate lot frontage of +/-19.5m (+/-63.97ft) and a lot area of +/- 877.37m² (+/- 9443.93ft²), which is characteristic of other lots in the area. The surrounding context is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing to legalize a 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Central Erin Mills 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. Planning staff are satisfied that the proposed driveway is appropriate given existing site conditions and is characteristic of the surrounding area. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The sole variance requested proposes an increased driveway width. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate the parking required by the zoning by-law for each property, with the remainder of the front yard being soft landscaped area. Planning staff note that the revised driveway appropriately aligns with the garage doors and is characteristic of the area. Furthermore an appropriate soft landscaped area is maintained in the front yard.

Given the above, Planning staff are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff is satisfied that the proposed variance is minor in nature and represents appropriate development of the lands. Staff are of the opinion that the impacts of the requested variance are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Shivani Chopra, Planner in Training

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: Ayooluwa Ayoola, Junior Planner