

City of Mississauga Department Comments

Date Finalized: 2023-07-19	File(s): A740.22 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-27 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 variance and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing walkway with a width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 734 Woburn Woods Lane

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Rathburn Road West and Mavis Road intersection in the Creditview neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The subject property abuts Wakefield Common along the east

side yard and rear yard. Woburn Woods Lane consists exclusively of detached dwellings on lots with frontages averaging +/- 12m (39.4ft) to 13m (42.7ft). The larger area context is residential, consisting of detached dwellings on similar or smaller size lots as well as semi-detached dwellings.

The applicant is proposing a modified driveway, requiring a variance for walkway 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 Creditview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

The applicant has worked with staff to reduce the driveway proposal from 10.6m (34.77ft) to the permitted as of right width of 5.2m (17.06ft). 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 two vehicles parked side by side, with the remainder of the front being soft landscaped area. The intent of the walkway attachment regulations are 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.

Staff are satisfied that the proposed walkway will not facilitate the movement of vehicles and the application only proposes a minor increase from the as of right permissions of the by-law for a walkway width.

Staff are satisfied that the proposed walkway attachment width is minor in nature, represent appropriate development of the subject property, and maintain the intent of both the official plan and zoning by-law.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted in the Notice of Public Hearing indicates that the applicant is requesting an existing walkway width of 2.0M to remain, whereas the maximum permitted is 1.5M. The applicant also indicates that no changes are being proposed to the property and requests to keep the existing driveway in its current state.

From the attached photos we question if the variance submitted should also reflect the existing driveway as the walkway width variance being requested actually functions as part of the driveway. We also question if an additional variance will be required for the portion of the driveway which abuts the neighbouring property as the driveway also has a 0.0M setback to the property line.

Depending on the Committee's interpretation of the variance submitted, at the very least we would request that the widened portion of the driveway between the municipal curb and sidewalk be re-instated to topsoil and sod. Should it be determined that the Committee approve a narrower driveway width to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee, we would request that the widened driveway portion within the municipal boulevard also be reinstated with topsoil and sod.





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: Sibila Lass Weldt, 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:

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Wakefield Common (P-200) and zoned OS1 – Open Space – Community Park.

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.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner