

City of Mississauga Department Comments

Date Finalized: 2023-08-30	File(s): A281.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-09-07 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 maintain the existing driveway width of 9.3m (approx. 30.51ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) in this instance.

Amendments

While Planning staff are not in a position to provide an interpretation of the Zoning By-law, it appears that the frontage of the dwelling (+/-18.67m (+/- 61.27ft)) would permit a maximum driveway width of 8.5m (approx. 27.88ft)

Background

Property Address: 3376 Colonial Drive

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-52 Residential

Other Applications:

Site and Area Context

The subject property is located north of Ridgeway Drive, south of the Colonial Drive and Cherrington Crescent intersection. It currently contains a two-storey detached dwelling with an attached garage. It is a corner lot with a lot frontage of +/- 18.67m (+/- 61.27ft) and a lot area of +/- 597.62m² (+/- 6432.73ft²), slightly larger than the 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 seeking to permit an existing driveway requiring a variance pertaining to 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 Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex, triplex, street townhouses and

other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff are satisfied that the driveway width is appropriate for both the subject property and surrounding context, and therefore 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 subject application proposes a driveway width of 9.3m (30.51ft). Staff note that the property frontage is approximately +/-18.67m (+/- 61.27ft). Under the zoning by-law, the maximum driveway width permitted for a property of this size is 8.5 metres (27.89 ft.). Staff recognize that while the by-law generally permits a driveway width of 6m in Zone R4-152, it acknowledges the fact that larger lots can accommodate wider driveways. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping (front yard). Staff is of the opinion that the proposed width of 9.3m (30.51ft) is a minor increase from the permissible as-of-right driveway width of 8.5m and will not facilitate the parking of an additional vehicle. Staff note that no variance for soft landscaping is proposed and that the dwelling maintains an appropriate soft landscaping in the front yard. Furthermore, the driveway does not appear excessive when viewed from the street as the subject property is a corner lot with a wide frontage and widened driveways are not out of character for the area.

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

Planning staff are satisfied that the proposed driveway width variance is a minor deviation from the permissible width and maintains the character of the area. Therefore, in staff's opinion the proposal is minor in nature, represents appropriate development of the subject property, and maintains the intent of both the official plan and zoning by-law.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the existing driveway. The applicant has removed the sod within the Municipal boulevard and placed concrete and asphalt surfaces. We ask that the Municipal boulevard area on both sides of the sidewalk be reinstated to be sod.





Comments Prepared by: John Salvino, 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