

City of Mississauga Department Comments

Date Finalized: 2023-08-30 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A302.23 Ward: 6
	Meeting date:2023-09-07 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway setback of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance; and,
2. A driveway width of 8.51m (approx. 27.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 4352 Wakefield Cres

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 south-west of the Mavis Road North and Highway 403 interchange in the Creditview Neighbourhood Character Area. It contains a detached dwelling with an attached garage. There are limited landscaping/vegetation elements in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on lots of generally similar sizes.

The applicant is proposing a widened driveway on the subject property requiring variances for driveway width and setback.



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 within the Creditview Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as street townhomes. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) 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 planned character of the area are dwellings accessed by appropriately sized driveways. The variance proposed would represent one of the largest driveways in the area and would not be compatible with the existing or planned character of the area. Staff are of the

opinion that the general intent and purpose of the official plan are not maintained in this instance.

Variance 1 proposes a reduced setback between the proposed driveway and the side lot line. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. In this instance, the reduced setback maintains the intent of the buffer between properties and the Transportation and Works Department has raised no drainage issues.

Variance 2 is to allow a widened driveway on the subject property. The planned character of the area is that of 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 yard being soft landscaped area. The proposed driveway would be able to facilitate the parking of 3 cars across, which is not the intent of the zoning by-law. Further, the proposal would create a significant amount of hardscaping that would dominate the perception of the property from the street. The subject property does not possess the lot frontage that can support the size of the driveway and remain within the intent of the regulations.

The propose driveway width variance would permit a driveway that visually dominates the front yard of the subject property and creates an excessive amount of hardscaping whose impact on the streetscape would not be considered minor in nature. Staff therefore recommend that the application be deferred to allow the applicant the opportunity to reduce the size of the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's reference are photos which depict the subject property. Should Committee see merit in the request we would suggest that minimal modifications be made within the municipal boulevard area.

Comments Prepared by: Joe Alava, T&W Development Engineering



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