

City of Mississauga Department Comments

Date Finalized: 2023-10-11	File(s): A363.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-10-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to confirm 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 continuous hard surface driveway width of 7.254m (approx. 23.80ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 5435 McFarren Blvd

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
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 east side of McFarren Boulevard, south of the Thomas Street and Erin Mills Parkway intersection. It currently contains a two-storey detached dwelling

with an attached garage. Limited vegetative and landscaping elements are present in both the front and rear yards. The surrounding area context is exclusively residential, consisting of two-storey detached dwellings.

The applicant is proposing to legalize an existing driveway requiring 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 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. It is staff's opinion that the proposal maintains sufficient soft landscaping area thereby respecting the character of the surrounding area. Staff are of the opinion that the application meets the general intent and purpose of the Official Plan.

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

The sole variance requested is for an increase in the driveway width. The applicant has worked with staff to reduce the existing driveway width from 8.23m (27ft) to 7.254m (23.80ft). 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. Staff are satisfied that the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the subject property.

However, staff would like to highlight Transportation and Works staff's comment about reinstating the municipal curb around the fire hydrant. Staff note that the drawing submitted by the applicant does not indicate the fire hydrant's location and also indicates a fully reinstated municipal curb. Through conversation with the applicant, staff are satisfied the applicant will fully reinstate the municipal boulevard to a width of 5.547m (18.19ft). As such, staff are supportive of the proposal as represented in the drawings.

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

Staff are of the opinion that, as currently proposed, the driveway maintains the general intent and purpose of the zoning by-law, represents appropriate development of the subject property, and is minor in nature.

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.

From our site inspection and as evident in the attached photos the owner has widened the driveway between the municipal curb and sidewalk around an existing fire hydrant. Regardless of the driveway width which the Committee approves, the area surrounding the existing fire hydrant must be reinstated with topsoil and sod. It should also be noted that the sketch Site Plan submitted does not depict the existing fire hydrant and this is why we are bringing this to Committee's attention.







Comments Prepared by: [Click here to insert name, title...](#)

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: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-363M / 5435 McFarren Blvd

Development Engineering: Brian Melnyk (905)-791-7800 x3602

Comments:

- As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”

Comments Prepared by: Ayooluwa Ayoola, Junior Planner