

# City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A302.23 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## 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;
2. A driveway width of 8.26m (approx. 27.10ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
3. A walkway 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; and,
4. 2 walkway attachments whereas By-law 0225-2007, as amended, only permits 1 walkway attachment 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. Limited landscaping/vegetation elements are present 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 setback, driveway width, walkway attachment width and number of walkway attachments.



## 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 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 applicant has revised their original application by reducing the driveway from 8.51m (27.91ft) to 8.26m (27.09ft) at the top of the driveway and narrowing it to 6.86m (22.50ft) for the remaining portion of the driveway. Through a detailed review of the application, staff note the driveway width calculation is to include the continuous hard surface area located near the walkway attachments on both sides of the driveway. While staff were unable to support the driveway in its original configuration, staff are of the opinion that the revised driveway more appropriately fits the property and surrounding context, thereby meeting the general intent and purpose of the official plan.

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

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 requests an increase in driveway width. While the proposal represents a driveway width that is wider than staff would normally support, staff note that the proposed width of 8.26m (27.09ft) is measured to both points near the top of the driveway where it flairs out to meet the proposed walkway attachment. Staff also note that the extended portion will not accommodate the parking of a motor vehicle. The driveway tapers down to a width of 6.86m (22.50ft) past the walkway and this width is maintained for the rest of the driveway length. The proposed driveway is in character for the surrounding context, will not create undue impacts on adjacent properties and maintains a soft landscaping area appropriate for the neighbourhood.

Variance 3 and 4 request an increase in both the width and amount of walkway attachments on either side of the driveway. The intent of this regulation is to limit excessive hard surfacing within the yard while providing a convenient and dedicated pathway to accommodate pedestrians and define the entryway to the dwelling. Furthermore, the walkways cannot be utilized for parking purposes. Staff are satisfied that the proposed walkways are appropriately sized for the subject property and cannot be utilized for the parking of a motor vehicle.

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

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

Staff are of the opinion the proposal represents appropriate development of the subject property and that the impacts to both the streetscape and abutting properties will be minor in nature.

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 existing driveway. We acknowledge that the applicant has discussed the previous proposal with the Planning Department and revised the request. In view of the above this department can also now support the revised proposal.

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**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner