

City of Mississauga Department Comments

Date Finalized: 2024-02-07	File(s): A440.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2024-02-15 1:00:00 PM

Consolidated Recommendation

The City recommends variances 1 and 2 be REFUSED, however there are no objections to variance 3.

Application Details

The applicant requests the Committee to approve a minor variance to allow a cube van to park on the driveway proposing:

1. A length of 7.6m (approx. 24.93ft) whereas By-law 0225-2007, as amended, permits a length of 5.6m (approx. 18.37ft) in this instance;
2. A height of 2.9m (approx. 9.51ft) whereas By-law 0225-2007, as amended, permits a height of 2.0m (approx. 6.56ft) in this instance; and,
3. A driveway width of 7.1m (approx. 23.29ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance.

Background

Property Address: 401 Winfield Terrace

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

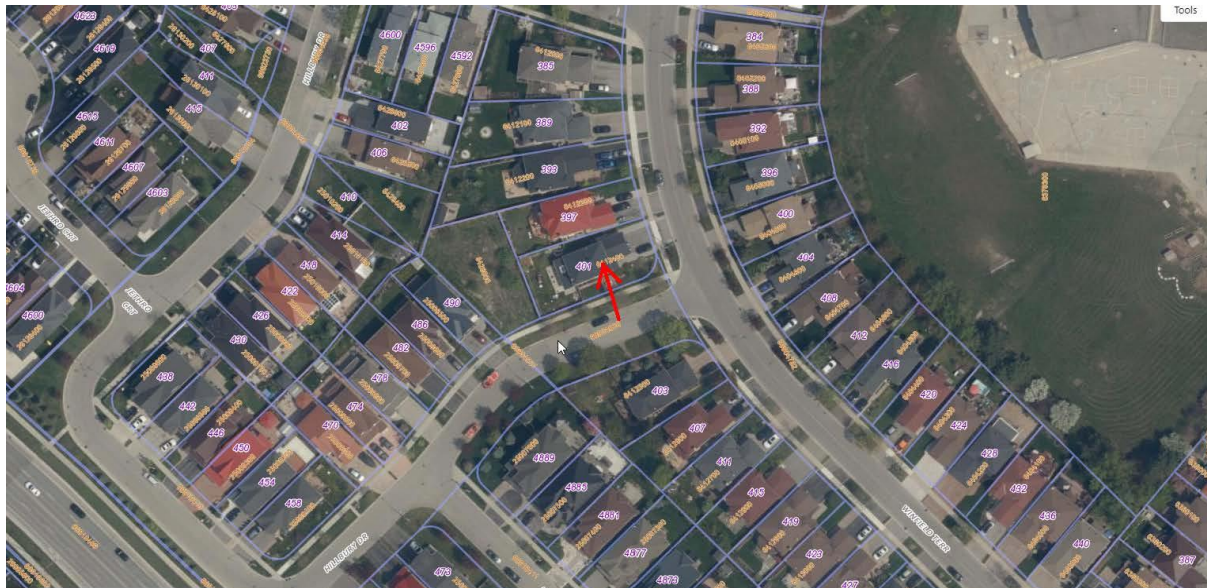
Zoning: R4-15-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Hurontario Neighbourhood Character Area, south-east of the Eglinton Avenue West and Confederation Parkway intersection. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front yard. The property has an approximate frontage of +/- 16.52m (54.19ft), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to park a commercial vehicle on the property requiring variances for vehicle height and length and 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:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings.

The applicant is requesting minor variances to allow for a commercial motor vehicle to be located on a driveway located in the front yard of the subject property. The zoning by-law permits commercial motor vehicles to be parked in residential zones subject to specific parameters outlined in section 4.1.10 of the zoning by-law.

The intent of limiting the size of commercial motor vehicles being parked in residential zones is to ensure that larger commercial motor vehicles are stored and parked in employment or commercial zones, and not on residentially zoned properties. Planning staff are of the opinion that the variances requested are excessive and that the drawings provided do not indicate any existing or proposed screening measures to mitigate any potential massing impacts caused by the commercial motor vehicle. Staff are concerned that the variances, if approved, will cause massing impacts to the adjacent property owners, the streetscape and ultimately effect the character of the neighbourhood.

Variance 3 pertains to an increase in the driveway width. The intent of the driveway width regulations is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping. 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.

Staff are of the opinion that the proposed driveway maintains the general intent and purpose of the official plan and the zoning by-law, represents appropriate development of the subject property and is minor in nature, however, variances 1 and 2 do not result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are recent photos depicting the cube van parked on the driveway.

With regards 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.

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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner