

City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A139.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 3:30:00 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 allow a driveway proposing:

1. A driveway width within 6m of the garage face of 15.92m (approx. 52.23ft) whereas By-law 0225-2007, as amended, permits a maximum width of 10.50m (approx. 34.45ft) in this instance;
2. A attachment width of one walkway to the driveway of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, permits a maximum width of 1.50m (approx. 4.92ft) in this instance; and,
3. The combined width of the points of access of a circular driveway of 12.66m (approx. 41.54ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 1413 Glenburnie Road

Mississauga Official Plan

Character Area: **Mineola Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

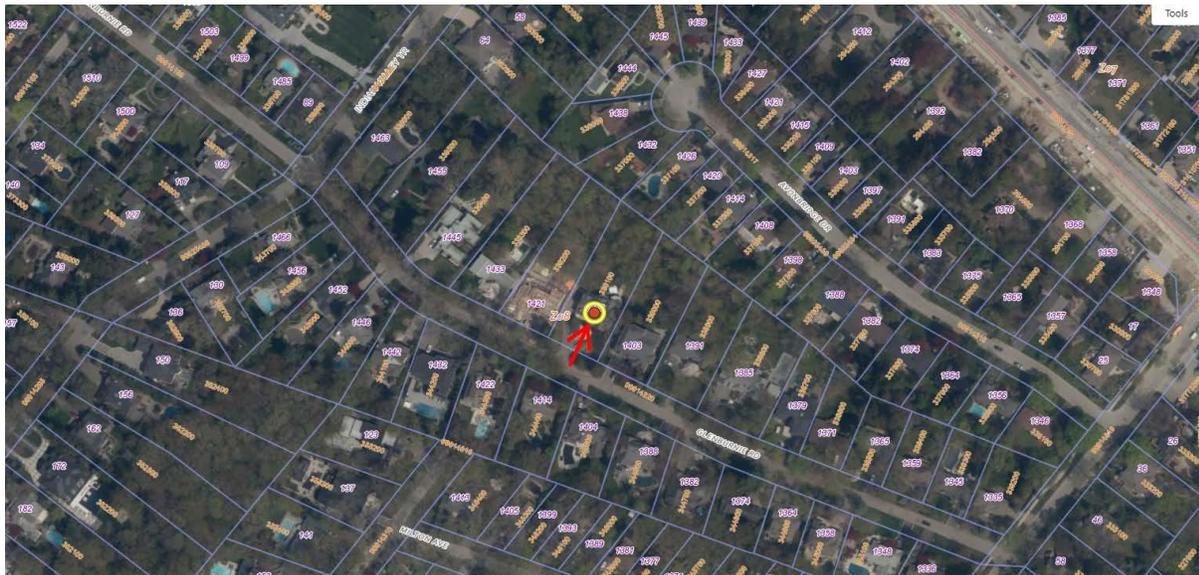
Zoning: **R2-5- Residential**

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, south-west of Hurontario Street and Indian Valley Trail intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is proposing a circular driveway and is requesting variances related to driveway width, walkway attachment and combined width of access points.



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 site is located within the Mineola Neighbourhood Character Area and is designated Residential Low Density I in the Mississauga Official Plan (MOP). This designation permits

detached, semi-detached and duplex dwellings. 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?

Variance #1 relates to the existing driveway width. Under the zoning by-law, the maximum driveway width permitted on a property of this size, is 10.5 metres (34.45ft) within 6 metres (19.69ft) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89ft) beyond 6 metres (19.69ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3-car garage, while also limiting the width closer to the street in order to mitigate impacts to the streetscape. Staff note that the portion of driveway providing access to the 3-car garage is existing. The applicant is modifying the driveway closer to the street to create a circular driveway. Staff note that the 3-car garage is side-loaded, and as such, the increased width is only to facilitate access to the garage. Staff are satisfied that the majority of the driveway's width is below the required regulations of 8.5m (27.89ft). Staff are of the opinion that the driveway does not appear excessive when viewed from the street and that it maintains the intent of the regulation by limiting the width closer to the street. Furthermore, staff are of the opinion that the driveway is appropriately sized for the property.

Variance #2 requests an increased width for an existing walkway attachment. The intent of the walkway attachment provision is to help define the entryway and to permit safe movement of pedestrians to the dwelling while prohibiting vehicle accommodation. The requested walkway is located in such a way that staff are satisfied that it will be unable to facilitate vehicular movements.

Variance #3 pertains to combined width of access points for a circular driveway. The zoning by-law permits circular driveways on lots that have a minimum frontage of 22.50m (73.81ft). Staff note that the subject property meets the required lot frontage for a circular driveway and that larger driveways are not out of character for the neighbourhood. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping.

Staff are of the opinion that, as currently proposed, the driveway 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?

The proposal maintains a soft landscaped area of approximately 61% and appropriately separates entrances for the circular driveway. Staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned and existing character of the area.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling with regards to drainage will be addressed by our Development Construction Section through the future Building Permit process.

Our Traffic Planning does not support a circular driveway/secondary access for the subject site. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage." Consistent with Traffic Engineering best practices, the number of accesses to the municipal road network are to be minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces, clearly identify which property each driveway serves, etc. In addition, in this particular instance we cannot see the rationale for having a circular driveway on this property.

For further information on this comment please contact Bo Yu at x4784.

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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Minor Variance: A-24-139M / 1413 Glenburnie Road

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

- We have no objection with the adjustment of the driveway provided water services curb stops and boxes are in grass areas and minimum 1.0m from the edge of the driveway.

Water services and appurtenances must have horizontal separation of minimum 1.2m from all utilities and structures.

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.
- The subject land is located within the Credit Valley Conservation Authority (CVC) Flood Plain. The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy **2.16.11**. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the **CVC** for the review of development applications located within or adjacent to natural hazards in Peel. We, therefore, request that City staff consider comments from the **CVC** and incorporate their conditions of approval appropriately.
- The subject land is located within a Natural Area and Corridor (NAC) of the Greenlands Systems designated under Policy 2.14.18 of the Regional Official Plan (ROP). NACs are to be protected, restored, and enhanced for the long-term ecological function and biodiversity of the Greenlands System.

Comments Prepared by: Ayooluwa Ayoola, Planner

Appendix 4 – CVC Comments

Re: CVC File No. A24/139

Municipality File No. A139.24

Nishchal Bhalla

1413 Glenburnie Road

Lot 2 Range 2 CIR

City of Mississauga

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due flood and erosion (meander belt) hazard associated with Mary Fix creek. As such, the property is regulated by CVC under Ontario Regulation 160/06. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow construction of a driveway proposing:

1. A driveway width within 6m of the garage face of 15.92m (approx. 52.23ft) whereas By-law 0225-2007, as amended, permits a maximum width of 10.50m (approx. 34.45ft) in this instance;
2. A attachment width of one walkway to the driveway of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, permits a maximum width of 1.50m (approx. 4.92ft) in this instance; and,
3. The combined width of the points of access of a circular driveway of 12.66m (approx. 41.54ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that no new development is being proposed and the minor variance proposed at this time relates to existing conditions. As such, CVC has no objection to the approval of the minor variance at this time.

The applicant is advised that the subject property is regulated by CVC and any further development will require a CVC permit.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner