

City of Mississauga Department Comments

Date Finalized: 2024-04-03	File(s): A50.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-11 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to identify the correct variances.

Application Details

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

1. A driveway width of 11.46 m (approx. 37.60 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50 m (approx. 34.45 ft) in this instance; and,
2. Soft landscaped area in the yard containing the driveway of 41.37% whereas By-law 0225-2007, as amended, requires a minimum soft landscaped area of 40% in this instance.

Background

Property Address: 2379 Erin Centre Blvd

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-9- Residential

Other Applications: None

Site and Area Context

The subject property is located on the north side of Erin Centre Boulevard, east of the Erin Mills Parkway intersection. It is an interior lot containing a two-storey detached dwelling with an attached three car garage. Limited landscaping/vegetative elements are present in the front yard. The property has an approximate lot frontage of 19.80m (64.96ft), characteristic of other lots in the area. The surrounding context is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is attempting to legalize an existing driveway requiring variances for driveway width and soft landscaped area.



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 application was deferred at the January 25th, 2024, Committee of Adjustment hearing. Planning staff had concerns with the proposed width of the driveway and the lack of retention of soft landscaping area in the front yard. Staff note the revised application depicts a reduced driveway width and a front yard that maintains the required soft landscaping area. Staff note variance 2 is not required, as it maintains the required minimum soft landscaping area in the yard containing the driveway of 40%, as per the zoning by-law regulations.

While staff have no concerns with the revised application and the proposed variances sought, staff note additional variances pertaining to driveway with may be required. Section 4.1.9.13 in the zoning by-law states for lots having a lot frontage of 18m (59.05ft) or greater, the maximum width may be increased to 10.5m (34.44ft) for that portion of the driveway that is within 6m (19.68ft) of the garage face and which is providing direct vehicular access to the garage. While the applicant has applied for this variance, they also require an additional variance for the driveway width beyond 6m (19.68ft) of the garage face, as the maximum width permitted is 8.5m (27.88ft). Additionally, the zoning by-law requires the nearest part of a driveway for a detached dwelling to be located a minimum distance of 0.6m (2ft) away from any side lot line. As per the site plan submitted, a small portion of the driveway directly abuts the north side lot line, representing a zero (0) metre side yard setback. While staff note the setback is due to a pinch point and would be generally supportive of the variance, the driveway setback variance should be noted in the application.

Given the above, staff recommend that the application be deferred to identify the correct variances.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Further to our comments provided for the Hearing on January 25, 2024, we are advising that we have no objections to the revised Site Plan submitted (dated Feb 25, 2024) which depicts the revised driveway configuration.





Comments Prepared by: Tony Iacobucci, 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

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner