

City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A298.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a second driveway whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance.

Amendments

The Building Department is processing Preliminary Zoning Review application PREAPP- 24-1293. Based on review of the information available in this application, we advise that following amendments is/are required: Two Minor Variances needed.

1. To permit a second driveway whereas; by-law 0225-2007, as amended permits a lot with an attached ARU(s) and/or a detached ARU to have one and not more than one driveway.
2. To permit a second driveway whereas; by-law 0225-2007, as amended permits a maximum of one driveway permitted per lot in R1 to R16, RM1 to RM3 and RM6 zones.

Background

Property Address: 3559 Burningham Crescent

Mississauga Official Plan

Character Area: Applewood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

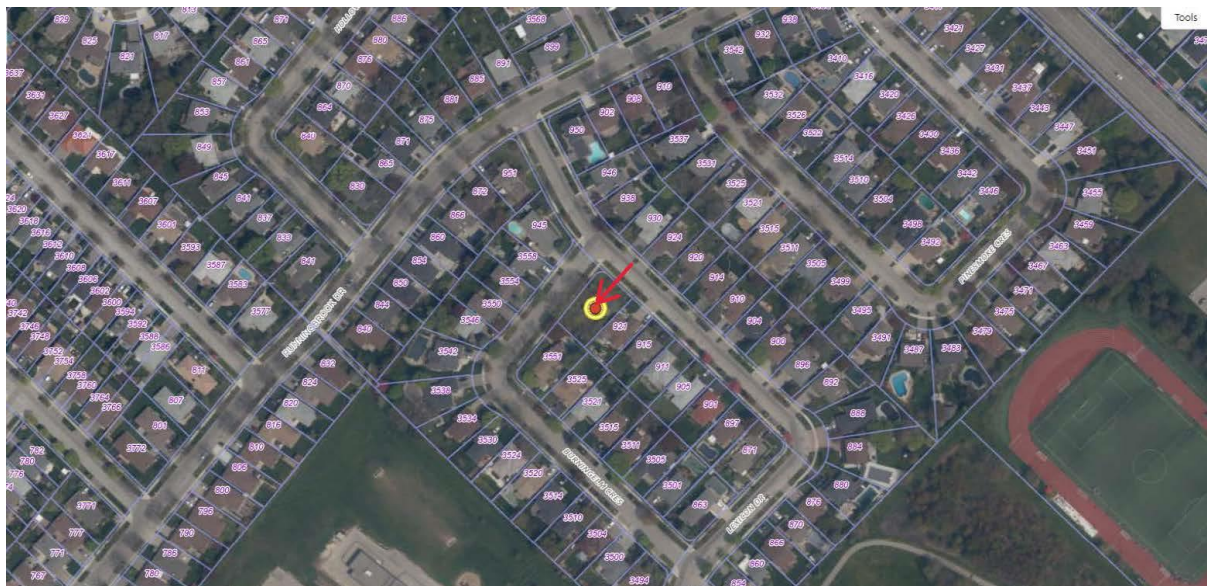
Zoning: R3 - Residential

Other Applications: PREAPP- 24-1293

Site and Area Context

The subject property is located south-west of the Tomken Road and Runningbrook Drive intersection in the Applewood Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. The subject property has an approximate frontage of +/- 21.91m (71.88ft). Limited landscaping elements and mature trees are present across the subject property. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct a second driveway on the subject property requiring a variance for number of driveways.



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 located in the Applewood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that sites being developed, including their driveways, should respect the identity and character of the surrounding context. No other property in the immediate area appears to contain 2 distinct and separate driveways. Staff are of the opinion that a second driveway would be out of character for the surrounding area.

The intent of limiting the number of driveways is to limit the impacts of driveways and hardscaping on the streetscape. While staff note an additional residential unit has been legally approved for the dwelling, staff are of the opinion that the existing driveway accessed from Burngelm Crescent could be modified to accommodate the additional vehicles on the subject property rather than the implementation of a second driveway. Staff also note the subject property is permitted a driveway width of 8.5m (27.88ft) due to the subject property's frontage being over 18m (59.05ft). This would allow the proposal to remain consistent with the character of the neighbourhood. Additionally, the Traffic Planning Department has noted concerns with the subject property having two access points.

Given the above, staff recommend the application be deferred for redesign.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Our Traffic Planning Section does not support a secondary access for the subject site and cannot see the rationale for having two access points. 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. If you have any questions on this matter, please call the Traffic Planning Technologist (Yousef Hereich) directly at ext. 8363







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Preliminary Zoning Review application PREAPP- 24-1293. Based on review of the information available in this application, we advise that following amendments is/are required: Two Minor Variances needed.

1. To permit a second driveway whereas; by-law 0225-2007, as amended permits a lot with an attached ARU(s) and/or a detached ARU to have one and not more than one driveway.
2. To permit a second driveway whereas; by-law 0225-2007, as amended permits a maximum of one driveway permitted per lot in R1 to R16, RM1 to RM3 and RM6 zones.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Andrew Wemekamp, Zoning Plans Examiner

City Department and Agency Comments	File:A298.24	2024/07/10	7
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Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-298M / 3559 Burningham Crescent

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

Comments:

- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 6.6, “all residential service boxes (curb stops) shall be installed in grass areas with a minimum distance of 1.0 meter from the edge of the driveway.”
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at PWServiceRequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner