

# City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A285.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a covered porch and legalize the widened driveway proposing:

1. A rear yard setback of 6.32m (approx. 20.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
2. A driveway width of 14.46m (approx. 47.44ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

## Background

**Property Address:** 2971 Wisteria Crt

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

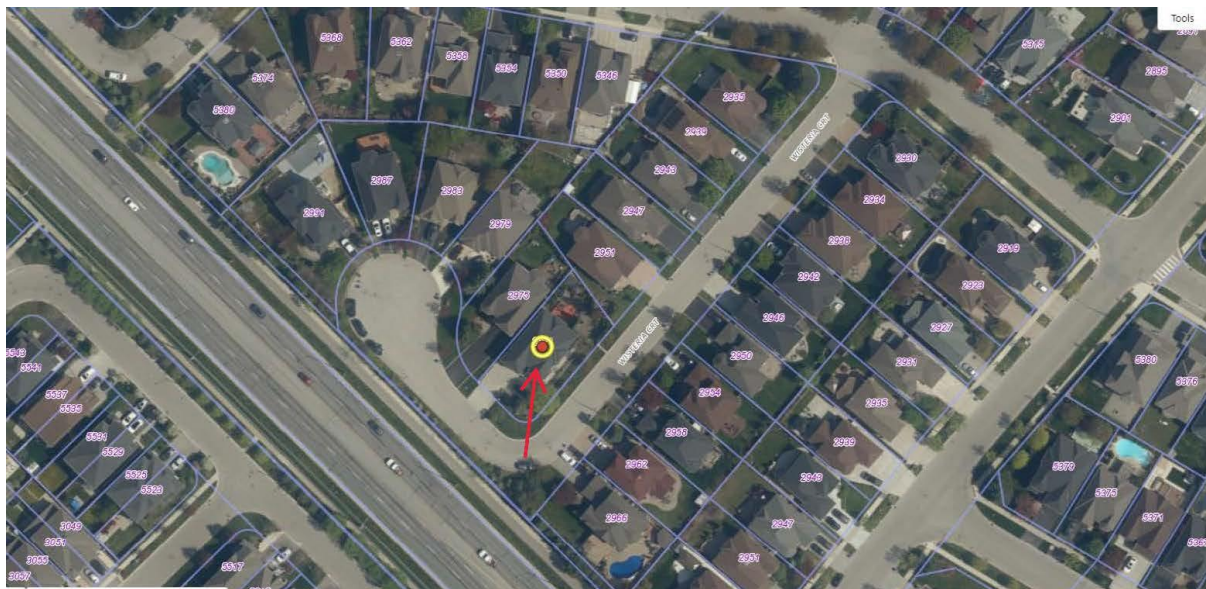
**Zoning:** R4 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located east of Winston Churchill Boulevard and north of Erin Centre Boulevard. The immediate neighbourhood is primarily residential, consisting of two-storey detached dwellings, while the broader area does include semi-detached dwellings west of Winston Churchill Boulevard. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing the construction of a covered porch and to legalize the existing driveway, requesting variances for rear yard setback 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 located within the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the 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 planned character of the area consists of dwellings accessed by appropriately sized driveways. While some widened driveways do exist in the neighbourhood,

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the existing driveway would be one of the largest driveways in the area and is not compatible with the existing or planned character of the area.

The intent of limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping. The existing driveway can facilitate the parking of at least four vehicles across. This results in the significant loss of front yard soft landscaping, a characteristic that is not common in the neighbourhood.

While staff have no concerns with the proposed rear yard setback variance, staff recommend that the application be deferred to allow the applicant time to redesign the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

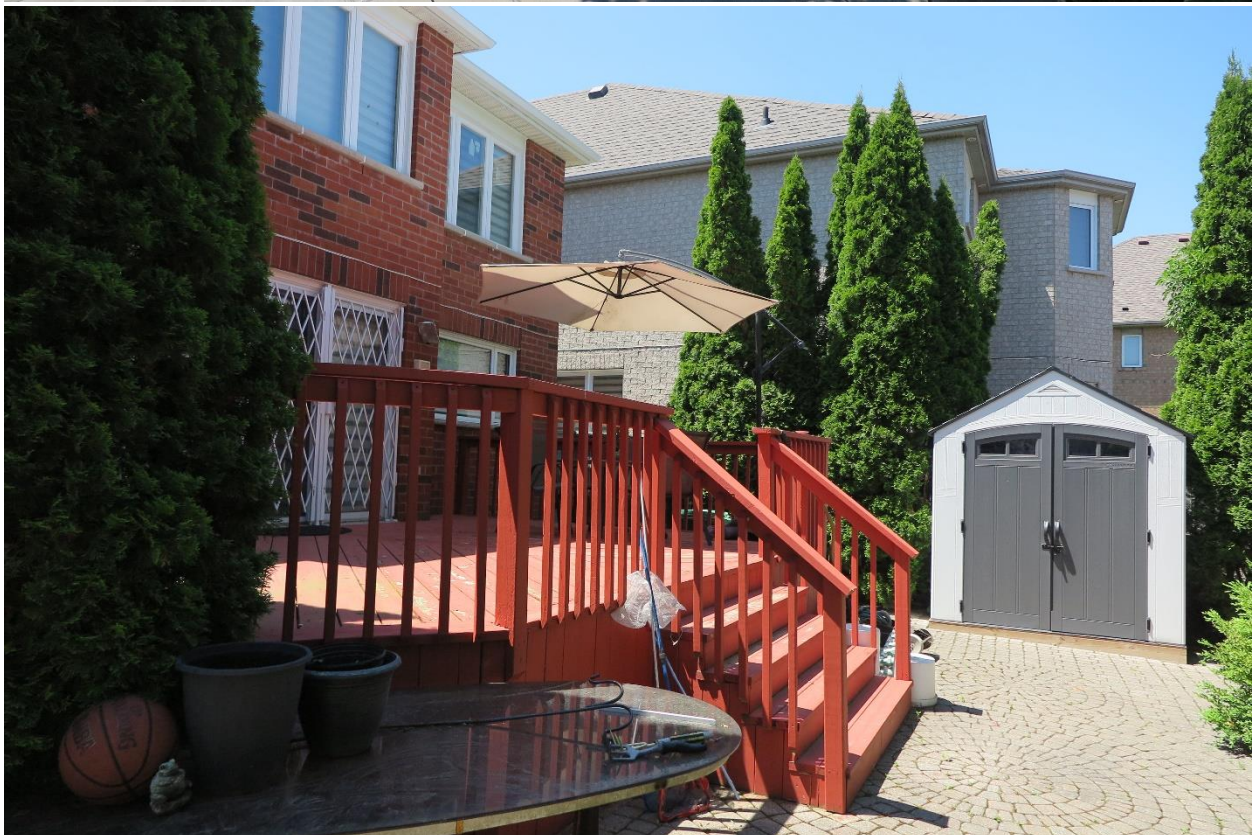
### Appendix 1 – Transportation and Works Comments

From our site inspection of the property, we foresee no drainage related concerns with the proposed covered porch (variance#1).

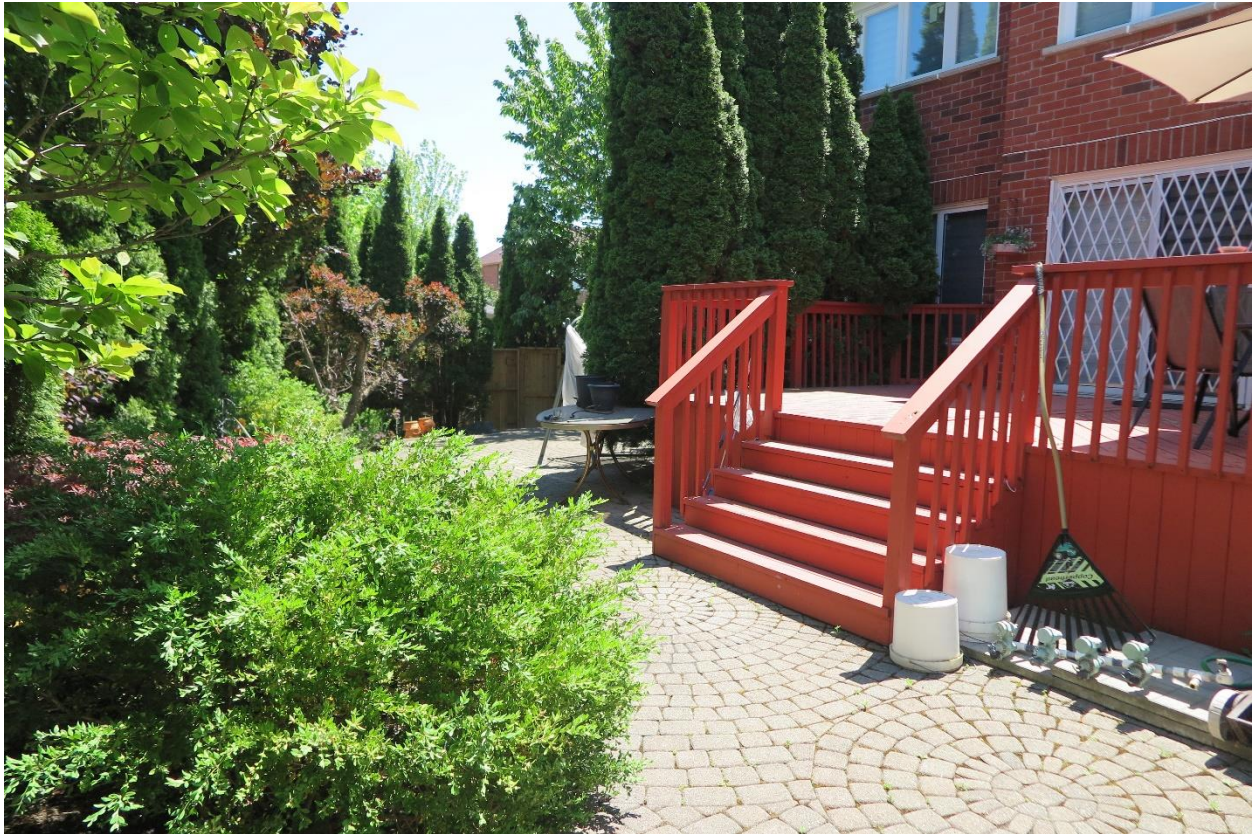
With regards to the driveway width (variance#2), we have no objections to the existing driveway as the widened portion is not within the municipal boulevard area.











Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

## **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 Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email [rita.dimichele@mississauga.ca](mailto:rita.dimichele@mississauga.ca).

Comments Prepared by: Rita Di Michele, By-law Inspector

#### **Appendix 4 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner