

# City of Mississauga Department Comments

Date Finalized: 2024-10-16	File(s): A462.24 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-10-24 3:30:00 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 permit a driveway proposing:

1. A driveway width of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
2. A driveway setback of 0.00m (approx. 0.00ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance.

## Background

**Property Address:** 5920 Sidmouth St

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

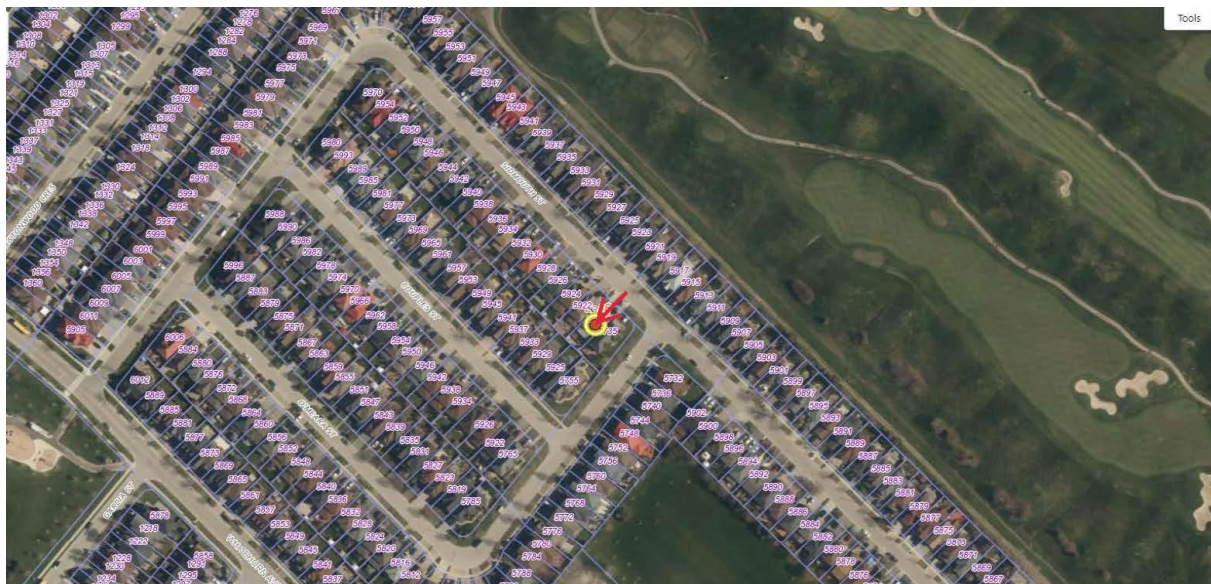
**Zoning:** R7-10

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Britannia Road West and Creditview Road intersection in the East Credit Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing to legalize an existing driveway requiring variances for driveway width and driveway setback.



## 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (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 conditions, the surrounding context and the landscape of the character area. The planned character of the area are dwellings accessed by appropriately sized driveways. The existing driveway is not compatible with the existing or planned character of the area.

The proposed variance relates to a widened driveway on the subject property. The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking of vehicles required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway to accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The existing driveway would be able to facilitate the parking of 3 or more motor vehicles parked side by side. Further, the existing driveway creates a significant amount of hardscaping in the front yard which dominates the perceived street frontage of the property. The subject property does not possess the frontage necessary to support the size of the driveway and meet the intent of the regulations.

Given the above, staff are of the opinion that the application be deferred to allow the applicant the opportunity to redesign the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos which depict the widened driveway. We are concerned that the additional hard surfacing within the front yard will increase the flow of stormwater into the municipal storm sewer system. Incremental increases in hard surfacing across the neighbourhood and throughout the city have increased pressures and impact on the City's storm sewer system. Lots are typically designed to retain some stormwater through infiltration via permeable surfaces like sodded areas and other landscaped areas.

We also note that the driveway has been expanded in close proximity to an existing concrete streetlight and driveways are required to be located a minimum of 1.5 m from any utility.

This Department does not support the variance as submitted based on the above and recommend that the applicant make modifications to the widened driveway which are acceptable to city staff.

This Department requests that the municipal boulevard (area between the municipal curb and property line) is re-instated with topsoil and a sodded condition.





Comments Prepared by: Tony Iacobucci, 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: Emily Majeed, Planner-in-Training

### **Appendix 3 – Parks, Forestry & Environment**

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

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**Appendix 4 – Region of Peel****Minor Variance Application: A-24-462M / 5920 Sidmouth Street**

Development Engineering: Wendy Jawdek ([wendy.jawdek@peelregion.ca](mailto:wendy.jawdek@peelregion.ca))(905) 791-7800  
x6019

**Comments:**

- Property line water service shut off valves and water services within the road allowance are owned by the Region of Peel. All water services shall have shut-off valves (curb stops and boxes) installed at the property line, be flush with grade, and accessible at all times. For residential applications, shut off valves and service lines shall be installed in grass areas with a minimum distance of 1.0m from the edge of the driveway.

Comments Prepared by:     Petrele Francois, Junior Planner