

City of Mississauga Department Comments

26Date Finalized: 2024-10-16 To: Committee of Adjustment	File(s): A269.24 Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-10-24 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A driveway width of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A driveway setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance;
3. A rear yard setback to hard surfaced landscape material of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance; and,
4. A side yard setback to hard surfaced landscape material of 0.34m (approx. 1.12ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 6150 Duford Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

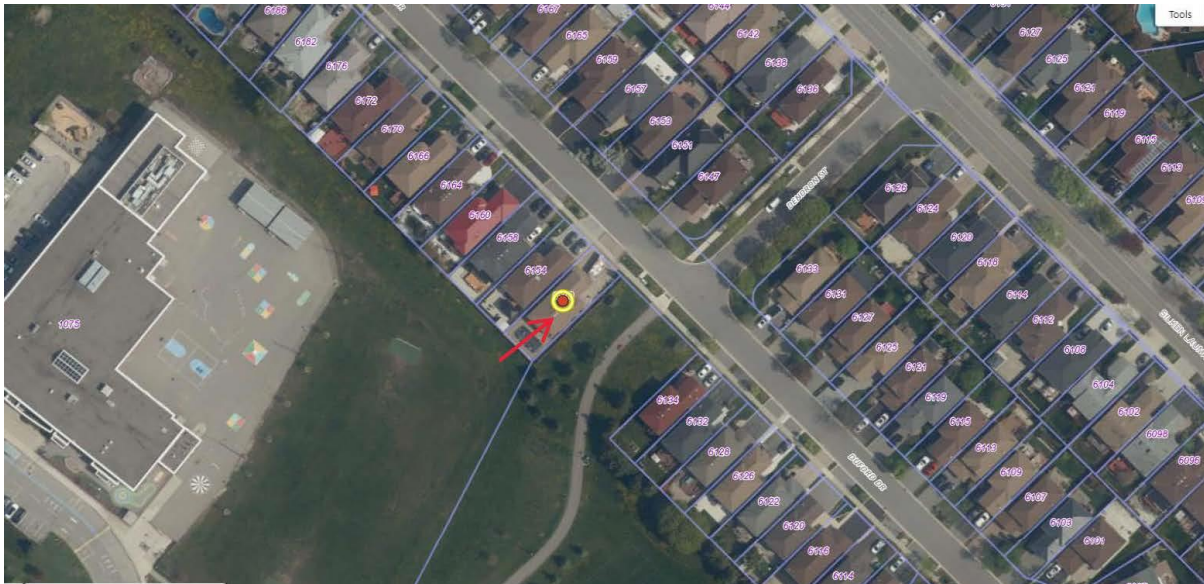
Zoning: R5-14-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Silken Laumann Way and Britannia Road West 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 property has an approximate lot area of +/- 373.77m² (4,023.22ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings on similarly sized lots.

The applicant is proposing to legalize a widened driveway on the subject property requiring variances for driveway width, driveway setback, rear and side yard setbacks to the hard surfaced landscape material in the rear yard.



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.

Variations 1 and 2 relate to a widened driveway and reduced driveway setback to the side yard lot line. The applicant has worked with staff to reduce the existing driveway width from 9.68m (31.75ft) to 7m (22.97ft). The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking 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 that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are of the opinion that the increase in driveway width is minor, while the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property. Staff note the intent of the driveway setback regulation is to ensure appropriate drainage can be maintained and a visual separation of properties is provided. Staff are satisfied that a visual separation of properties is provided with the reduced setback to the driveway. Additionally, Transportation & Work's staff have raised no drainage concerns.

Variations 3 and 4 request reduced side and rear yard setbacks for the hard surfaced landscaping in the rear yard. The general intent of this portion of the by-law is to ensure appropriate drainage patterns can be maintained. Staff note Transportation & Work's staff have not identified any drainage concerns with the location of the existing hard surfaced landscaping material in the rear yard.

Planning staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property. The proposal will not have any additional impacts to abutting properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the revisions made to this application further to our initial comments submitted for the August 15, 2024, Hearing. The revised Site Plan now depicts the replacement of some of the paving with sod which will reflect a 7.0m driveway width which we find acceptable (Variance # 1 and 2). With regards to Variance # 3 and 4, we have no objections to the hard surfaced landscape material in the rear yard as we did not observe any drainage related concerns from our site inspection with the reduced setbacks proposed.









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

Park Planning

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Swinbourne Meadows (P-318), zoned OS1 – Open Space – Community Park.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner