

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2024-11-14	File(s): A507.24 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/21/2024 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 a driveway proposing:

1. A left side yard setback of 0.33m (approx. 1.08ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance;
2. A right side yard setback of 0.33m (approx. 1.08ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance;
3. A driveway width of 13.12m (approx. 43.05ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 4986 Huron Heights Dr

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

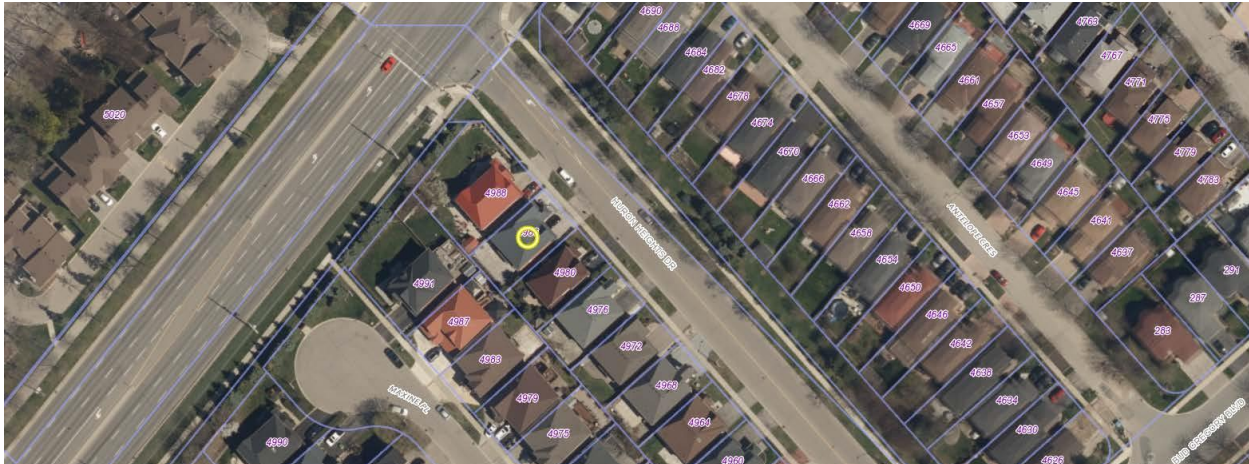
**Zoning:** R6-2 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located south-west of the Eglinton Avenue East and Central Parkway Road East intersection in the Hurontario Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited vegetative and landscaping elements are present on the subject property. The surrounding area context is mostly residential, consisting of detached, semi-detached and townhouse dwellings. Additionally, a multi-tenant commercial plaza is located in close proximity, on the opposite side of Eglinton Avenue East.

The applicant is looking to legalize an existing driveway requiring variances for driveway width and 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 Hurontario 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. Staff are of the opinion that the general intent and purpose of the official plan is not maintained in this instance.

The proposed variances pertains to the widening of the existing 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 side by side required by the zoning by-law with the remainder of the front yard being soft landscaping area for each property. Further, the existing driveway creates a significant amount of hardscaping that dominates the perceived street frontage of the property.

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

With regards to variance #3, which is requesting a driveway width of 13.12 m, we request that the widened driveway within the municipal boulevard (area between the municipal curb and property line) is re-instated with topsoil and sod should the application be modified to consider a reduced driveway width or if the application is not supported by the Committee.

For variances #1 & #2, we note that we were unable to access the rear yard; however, from our site inspection we note that the rear of the property has a higher elevation than the front meaning all drainage from this property is directed to the front yard and not the abutting properties.

The Grading Plan (Plan C-39401) approved for this property under Registered Plan of Subdivision 43M-1509 also depicts a rear to front drainage pattern meaning drainage from the rear yard was designed to be directed to the front yard via the side yards. We also note from the Grading Plan that the drainage pattern from abutting lots located to the rear were designed to drain through this property towards Huron Heights Drive.







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 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner