

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A579.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/23/2025 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 for a driveway width of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 916 Stainton Dr

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

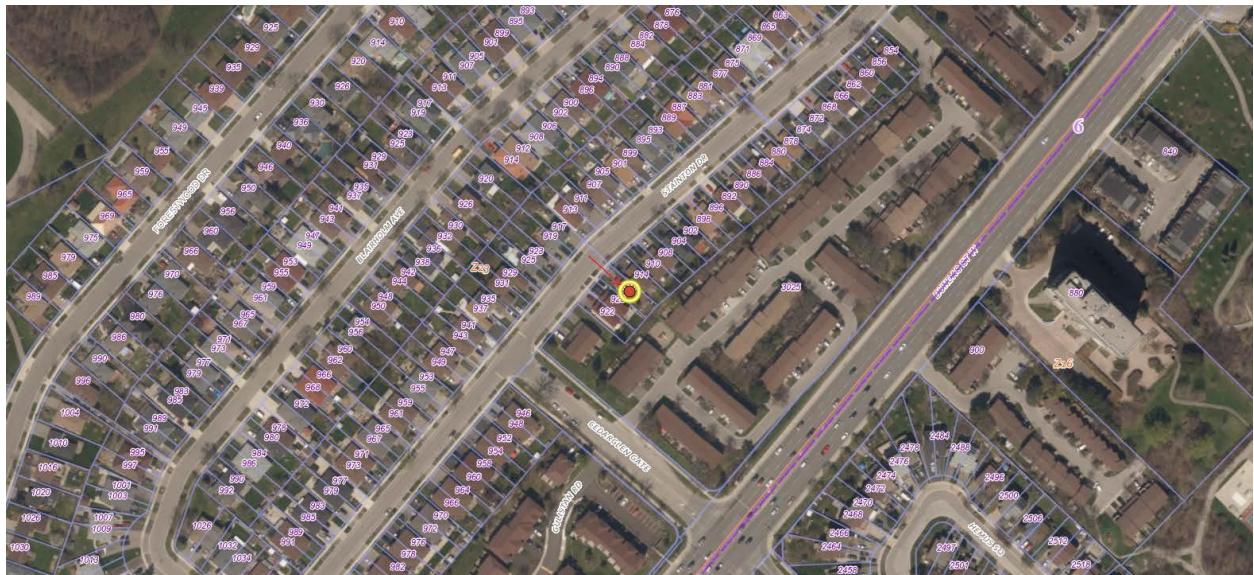
Zoning By-law 0225-2007

Zoning: RM1-2 - Residential

Site and Area Context

The subject property is located at the north-east corner of Dundas Street West and Erindale Station Road in the Erindale Neighbourhood Character Area. It is an interior lot containing a semi-detached dwelling with an attached garage. Limited vegetation and landscape elements are present throughout the subject property. The surrounding neighbourhood context consists of detached dwellings, semi-detached dwellings and townhouse dwellings. Additionally, various commercial uses are found along Dundas Street West.

The applicant is looking to legalize an existing driveway requiring a variance for the 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 in the Erindale 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 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 variance pertains to legalizing 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. The existing driveway would be able to facilitate the parking of 3 motor vehicles parked side by side. Further, the existing driveway creates a significant amount of hardscaping that dominates the majority of 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: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos which depict the widened driveway. This Department requests that the municipal boulevard (area between the municipal curb and property line) is re-instated with topsoil and a sodded condition should the application be modified to reflect a reduced driveway width or if the application is not supported by the Committee.



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: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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.

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Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner