

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A407.22
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment. 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 application to permit an existing driveway proposing a width of 6m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

Amendments

Should the Committee see merit in the application, Planning staff recommend the following amendment:

The applicant requests the Committee to approve a minor variance application to permit an existing driveway proposing a width of 6.7m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (19.68ft) in this instance.

Background

Property Address: 812 Buckingham Crt

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: RM2-2****Other Applications: None****Site and Area Context**

The subject property is located north-west of the Rathburn Road West and Mavis Road intersection in the Creditview 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 is exclusively residential, consisting of detached dwellings on similarly sized lots. Additionally, the Creditview Woods Park abuts the property to the rear.

The applicant is attempting to legalize the existing driveway requiring a variance for 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:

Staff note the proposal requests a variance for a 6.0m (19.68ft) driveway width, whereas the by-law requirement is 5.2m (17.06ft). While Planning staff are not in a position to interpret the zoning by-law, staff note a detached dwelling in the RM2 zone is measured in compliance with the R5 zone regulations. The subject property contains a detached dwelling and is therefore permitted a maximum driveway width of 6.0m, as per the R5 zone regulations. Staff note the applicant has revised their drawings to illustrate the driveway width at its widest point, thereby depicting a 6.7m (21.98ft) driveway width.

The subject property is located in the Meadowvale Village 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 sole 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 required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to permit 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 driveway width measures 6.7m at its widest point and tapers down to 6m at the end of the driveway.

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

Enclosed for Committee's ease of reference are photos depicting the existing driveway. From our site inspection we note that there is an existing light standard within the municipal boulevard; however, the separation distance exceeds the Transportation & Works Department minimum 1.5 m requirement from the driveway.

Should Committee approve the request we would suggest that the property owner submit an application for an Access Modification Permit to the Traffic Planning Section to extend the existing curb cut to reflect the approved driveway width.



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

Park Planning Comments

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 Creditview Woods (P-229), zoned OS1 – Open Space – Community Park.

Should the application be approved, the Parks and Culture Planning Section provides the following notes:

1. If future construction is required, 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.

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Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner