

# City of Mississauga Department Comments

Date Finalized: 2021-10-26	File(s): A429.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-04 1:00:00 AM

## Consolidated Recommendation

The City has no objection to the variances, as requested.

## Application Details

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

1. A driveway width of 9.63m (approx. 31.59ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 8.50m (approx. 27.89ft) in this instance; and
2. A walkway attached to the driveway with an attachment of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a walkway attached to a driveway with a maximum attachment of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1596 Carmen Road

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-2 - Residential

**Other Applications:** Site Plan Infill – SPI 16-116, Building Permit – BP 9NEW 17 5247, Pre-Application Zoning Review – PREAPP 21-7418

## Site and Area Context

The subject property is located within the Mineola Neighbourhood, west of the Cawthra Road and South Service Road intersection. The neighbourhood is entirely residential consisting of newer and older, one and two storey-detached dwellings on large lots with mature vegetation in the front and side yards. The subject property is a two storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new driveway requiring variances for driveway width and a walkway attachment.



## 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:

**Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located within the Mineola Neighbourhood Area and is designated Residential Low Density I. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of 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 site conditions, the surrounding context, and the landscape of the character area. The planned character of the area is a mix of dwellings accessed by appropriately sized and widened driveways. The proposed driveway would be compatible with the existing and planned character of the area. Staff are of the opinion that the general intent and purpose of the Official Plan is maintained in this instance.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 pertains to driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping (front yard). A driveway width of 9.63m (approx. 31.59ft) is proposed, where a maximum driveway width of 8.5m (approx. 27.89ft) is permitted. While a 9.63m (31.59ft) wide driveway can accommodate more than the required 2 spaces (side by side) for a detached dwelling, most of the proposed driveway maintains a width of 7.47m which is under the maximum width requirement. Furthermore, the subject property has a 30.55m (approx. 100.23ft) frontage, which ensures a large amount of soft landscaping will be maintained in the front yard.

Variance #2 pertains to a walkway attachment. The applicant is proposing a walkway attachment of 3.04m (approx. 9.97ft) where a walkway attached to a driveway is permitted a maximum attachment of 1.50m (approx. 4.92ft). The intent of this portion of the bylaw is to provide a convenient surface for pedestrians (not vehicles) and assists in defining an entryway to a dwelling. While the walkway attachment appears to be excessive, the attachment is not able to accommodate a vehicle as the minimum length of a parking space is 5.2m (approx. 17.06 ft).

As such, staff is of the opinion that Variances #1 and 2 meet the purpose and general intent of the Zoning By-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

The requested variances represent appropriate development of the lands and modest intensification. The request is minor and is reflective of the surrounding context, where widened driveways are a regular occurrence. Furthermore, the proposed walkway is unable to accommodate vehicular traffic. Staff are of the opinion that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos depicting the existing driveway.







Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-7416. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above preliminary zoning review application submitted on 2021/07/19 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner