

# City of Mississauga Department Comments

Date Finalized: 2021-12-08	File(s): A481.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-16 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the condition. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a driveway proposing a driveway width of 7.6m (approx. 24.9ft), whereas By-law 0225-2007, as amended, requires a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

## Recommended Conditions and Terms

Construction relating to this variance shall be in general conformance with the Site Plan approved by the Committee.

## Background

**Property Address:** 1206 Barnswallow Crt

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

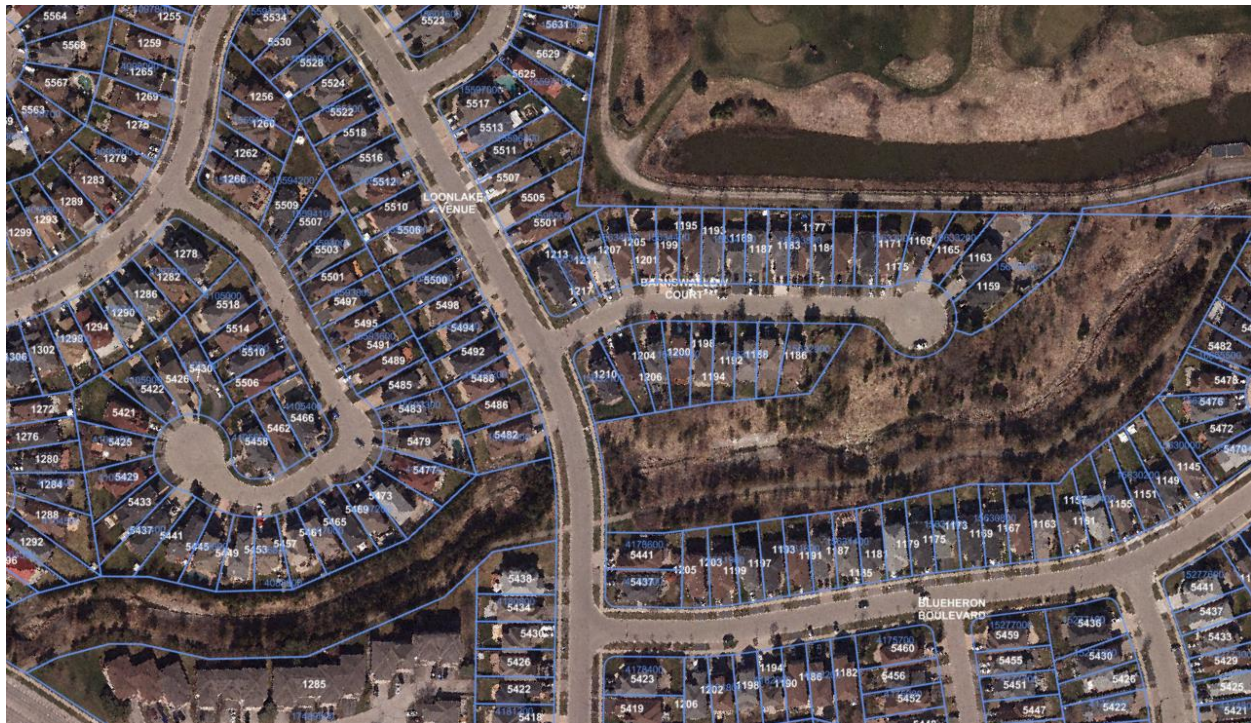
**Zoning:** R5 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located north-east of the Bristol Road West and Loonlake Avenue intersection in the East Credit Neighbourhood. It contains a two storey detached dwelling with an attached two car garage and backs onto the Carolyn Creek Trail. The lot has a lot frontage of +/-13.79m (45.24 ft.) and an area of +/-440m<sup>2</sup> (4,736ft<sup>2</sup>). There are some vegetation and landscaping elements in the front yard of on the subject property.

The applicant is proposing to modify 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:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that a driveway width should respect the identity and character of the surrounding context. Furthermore, the intent of the zoning 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.

The applicant has requested a driveway width of 7.6 metres (24.93ft), however staff note that this is measured to a single point near the top of the driveway where it flairs to meet the walkways on either side of the garage. The driveway immediately tapers down to a width of 6.9 metres (22.64ft) for the majority of the driveway, and further narrows to 6 metres (19.69ft) at the street. The surrounding area context includes a mix of original and widened driveways, and staff are satisfied that the proposed configuration is in character for the surrounding context. The proposed driveway will not create undue impacts on adjacent properties and maintains a soft landscaping area that is appropriate for the neighbourhood. Staff are therefore of the opinion that the request maintains the general intent and purpose of both the Official Plan and Zoning By-law, and that it is both minor and appropriate.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

The submitted Site Plan is not reflective of what currently exists on site. From the enclosed photos we note that the patterned concrete abutting the asphalt driveway area is not shown on the Site Plan but identified as a “Landscaping” area which makes the driveway wider.

This department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner