

City of Mississauga Department Comments

Date Finalized: 2021-12-22	File(s): A558.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing:

1. A driveway width of 22.87m (approx. 75.03ft) within 6.0m of the garage face, whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within 6.0m of a garage face in this instance;
2. A driveway width of 22.87m (approx. 75.03ft) beyond 6.0m of the garage face, whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) beyond 6.0m of a garage face in this instance;
3. A walkway width of 2.69m (approx. 8.83ft) attached to the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) attached to a driveway in this instance; and
4. To permit four walkway attachments to the driveway whereas By-law 0225-2007, as amended, only permits one walkway attached to a driveway with a maximum attachment of 1.5 m on each side of a driveway in this instance.

Background

Property Address: 1585 Jalna Avenue

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007**Zoning: R2-5 - Residential****Other Applications:**

Minor Variances – A145.18 and A135.17, Preliminary Application Meeting – PAM 17-387, Site Plan Infill – SPI 18-12

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Lakeshore Road West and Southdown Road. The immediate area consists of a mix of older and newer one and two storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains an existing two-storey dwelling with mature vegetation in the front yard.

The applicant is proposing a driveway requiring variances related to the driveway widths and walkway attachments.



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 situated within the Clarkson-Lorne Park Neighbourhood, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding area. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways and setbacks with the remainder of the property's frontage serving in the form of a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the other lots within this neighbourhood, which define the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan.

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

Variances # 1 and 2 pertain to driveway width. Under the Zoning By-law, the maximum driveway width permitted on a property of this size is 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89 ft.) beyond the 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3 car garage, while also limiting the driveway width closer to the street in order to mitigate any potential impacts to the streetscape. The proposed driveway width represents a significant amount of hardscaping which is not reflective of the immediate area. Furthermore, it is the opinion of staff that the significant hardscaping will impact the established streetscape.

Variances #3 and 4 pertain to walkways. The intent of the walkway attachment provision is to define the entryway to the dwelling and permit the safe movement of pedestrians while prohibiting vehicular parking and movements. Variance #3 proposes a walkway wide enough to accommodate both pedestrian and vehicular movements. Additionally this walkway technically could function as a hammerhead to the driveway. Variance #4 proposes four walkway attachments where only one is permitted. The amount of walkway attachments proposed, based on the by-laws intent, is excessive and adds additional hardscaping to the front yard of property, which will negatively influence the streetscape.

Given the above Staff are of the opinion that the variances do not maintain the general intent and purpose of the Zoning By-law.

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

It is the opinion of Staff that the variances, both individually and cumulatively, create a significant impact on the existing streetscape that cannot be considered minor in nature. Furthermore, the proposal represents an overdevelopment of hardscaping in the front yard which does not represent the appropriate development of the subject lands.

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Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the existing driveway and walkway.









Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-6435. 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 permit application 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: Brandon Eidner, Zoning Examiner