

City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A576.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A driveway width of 9.0m (approx. 29.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and,
2. A side yard setback of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

Amendments

Planning staff note that, based upon a review of the application, variance 1 should be amended as follows:

1. A driveway width of 9.0 m beyond 6.0 m of the garage face, whereas Zoning By-law 0225-2007, as amended, permits for a maximum driveway width of 8.5 m beyond 6.0 m of the garage face for lots with a lot frontage of 18.0 m or greater, in this instance.

Background

Property Address: 3429 Palgrave Road

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

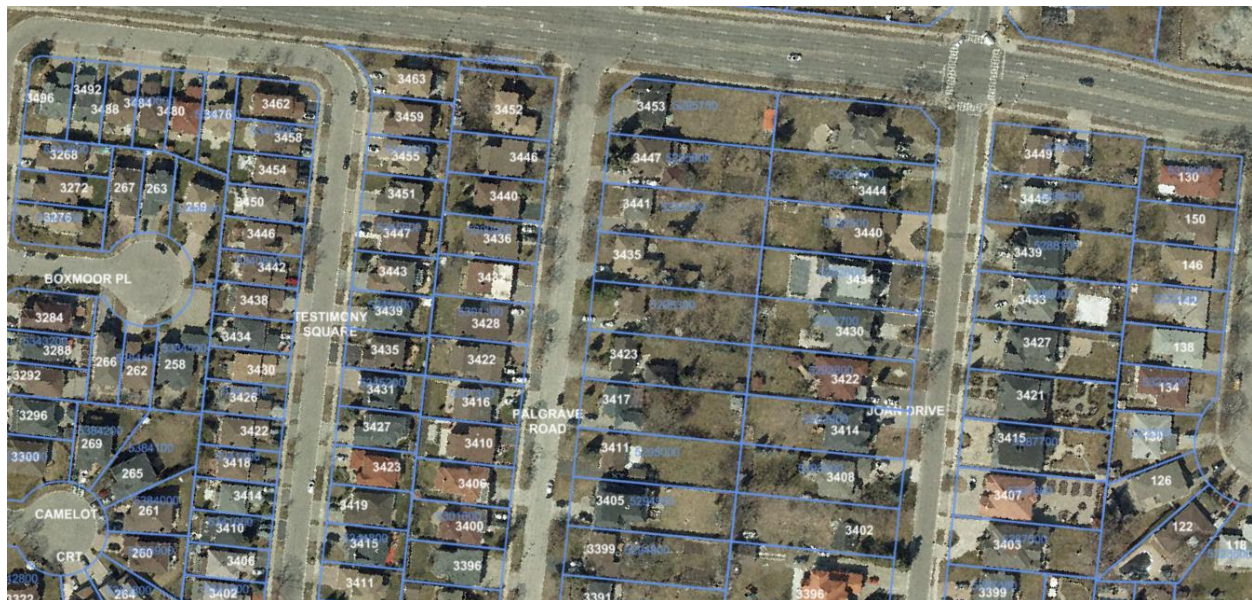
Zoning: R3 - Residential

Other Applications: PREAPP 21-8936

Site and Area Context

The subject property is located south-east of the Central Parkway West and Confederation Parkway intersection in the Fairview neighbourhood. It has a lot frontage of +/- 18.29m (60ft), a lot area of +/- 1,114.8m² (11,200ft²), and currently contains a detached dwelling. Mature vegetation is present in both the front and rear yards, however landscaping elements are limited. The surrounding area context consists exclusively of detached dwellings on lots of varying sizes. This portion of Palgrave Road is predominantly original dwellings, however some new builds are present.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for driveway width and side yard setback.



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 in the Fariview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development 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. Staff are of the opinion that the proposed dwelling strikes an appropriate balance between the existing and planned characters of the surrounding area and maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests an increased driveway width on the subject property. 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 remaining as soft landscaping and front yard amenity area. Staff note that due to the frontage of the property and the proposed 3 car garage, the applicant is permitted 10.5m (34.4ft) of width within 6m (19.7ft) of the garage face, and 8.5m (27.9ft) beyond that. The applicant's proposed driveway is 6m (19.7ft) at the street and quickly expands to 9m (29.5ft) once it crosses the front property line. The variance therefore is only required for the portion of the driveway from where it expands to 9m (29.5ft) up to 6m (19.7ft) from the garage face. Staff are of the opinion that the small area of increased width does not negatively impact the front yard amenity area and maintains appropriate soft landscaping in the front yard.

Variance 2 requests a reduced side yard on the northerly side of the dwelling. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be accommodated. Staff are of the opinion that the reduced side yard maintains an appropriate buffer between dwellings and that appropriate drainage can be provided. Furthermore the proposed setback is sufficient to maintain access to the rear yard.

Given the above staff are of the opinion that the variances 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?

Staff are of the opinion that the requested variances are minor in nature and will not create undue impacts to abutting properties or the streetscape. The proposed dwelling is appropriate for the site and therefore represents appropriate development of the subject property.

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Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note from the Site Plan submitted that a new 2 storey dwelling with a 3 car garage is being proposed. The Site Plan also shows that the proposed 9.0M driveway width is within the private property. In this regard we would have no objections provided that the driveway will not impact on the proposed drainage swale being proposed abutting the driveway.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-8936. 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: Alana Zheng, Zoning Examiner