

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A440.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 3:00:00 PM

Consolidated Recommendation

The City has no objections to the application. 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 with a driveway width of 7.60m (approx. 24.93ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 7330 Tenth Line West

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-32 - Residential

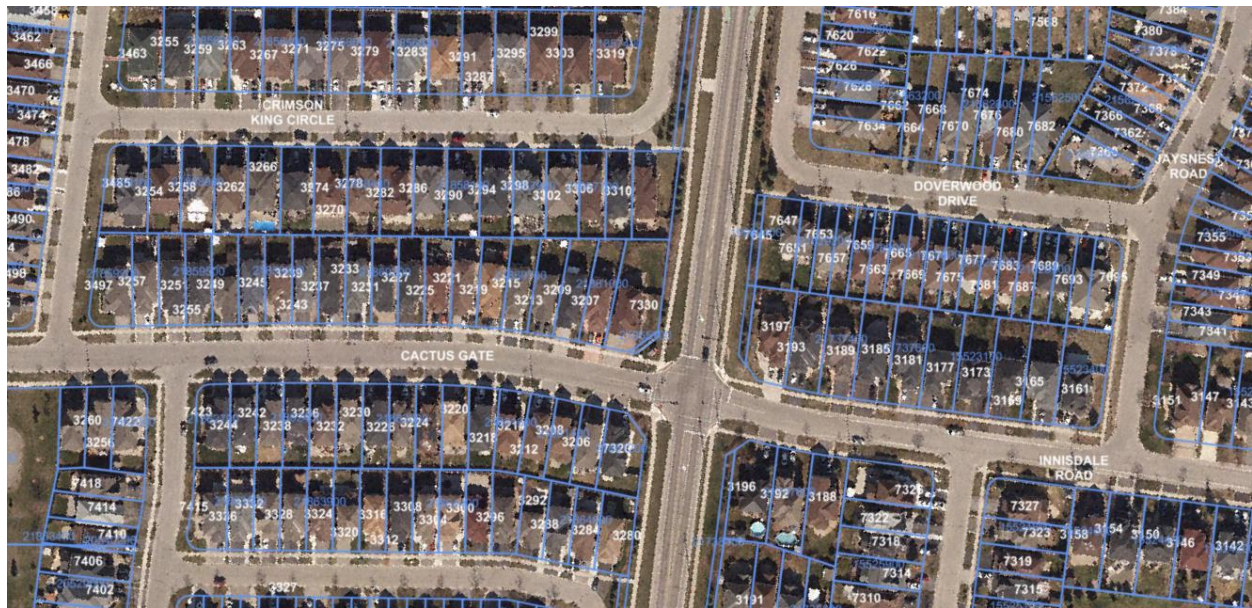
Other Applications: None

Site and Area Context

The subject property is located on the north-west corner of Tenth Line West and Cactus Gate in the Lisgar Neighbourhood. It has a frontage of +/- 16.36m (53.67ft) and currently contains a detached dwelling with an attached garage. There is limited landscaping and vegetation in both

the front and rear yards. This section of Cactus Gate contains exclusively detached dwellings, however semi-detached dwellings are also present in the surrounding context. As the subject property is a corner property it has one of the larger frontages in the surrounding area.

The applicant is proposing a widened 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:

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 applicant has revised his request since the original application, reducing the driveway width from 10.36m (34ft) to 7.60m (25ft). Staff are willing to support a widened driveway on the

subject property given its proximity to the intersection of Tenth Line West and Cactus Gate, which in staff's opinion forms part of the surrounding context for this property. While staff were unable to support the driveway in its original configuration, staff are of the opinion that the revised driveway more appropriately fits the property and surrounding context, meeting the general intent and purpose of the Official Plan.

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

The intent of the driveway width regulations in the by-law are to permit a driveway wide enough to facilitate the parking of two vehicles side by side, with the remainder of the front yard being soft landscaping. Staff are satisfied that an appropriate front yard amenity area and sufficient soft landscaping are maintained under the current proposal and that the hardscaping does not represent an overdevelopment of the front yard. Therefore the variance meets 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?

The subject property is the corner property at a major intersection, one of only two entrances to the subdivision from Tenth Line West. As such, the subject property warrants special consideration. The proposal balances the permissions of the site appropriately with the planned and existing neighbourhood context resulting in only minor impacts to the streetscape and surrounding properties. It will allow for additional manoeuvrability and visibility to the street in order to facilitate access to and from the property. Staff are of the opinion that the proposal represents desirable development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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.

It should also be noted that the applicant has significantly modified the driveway width from the previous circulation and the recent site plan submitted does depict a significant amount of hard surface (interlock) area to be removed.





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