

# City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A39.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway with a width of 5.6m (approx. 18.4ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3m (approx. 14.1ft) in this instance.

## Background

**Property Address:** 5569 Fudge Terrace

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM5-48 - Residential

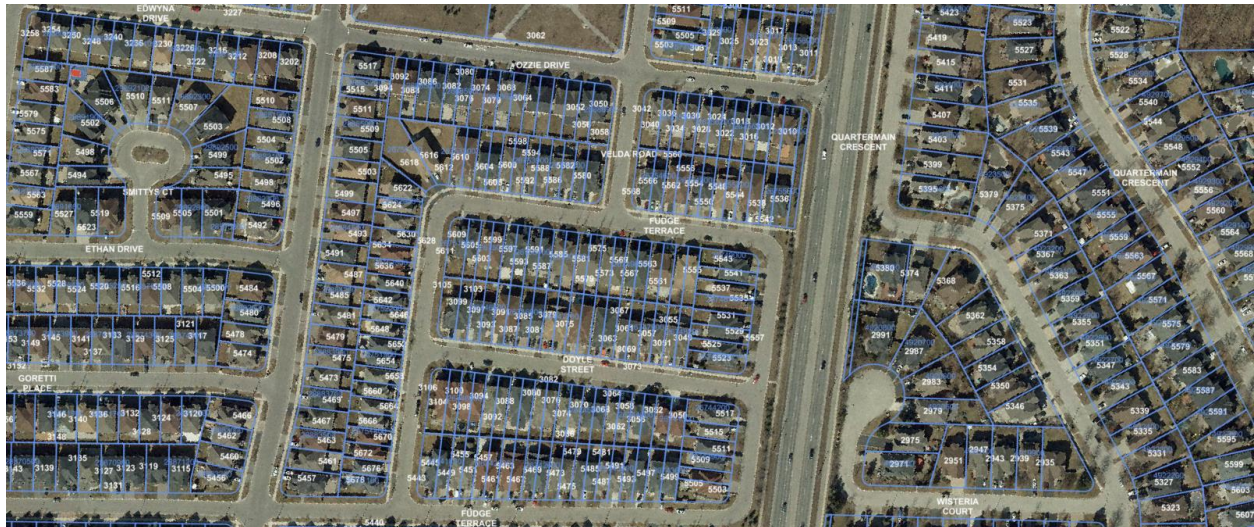
**Other Applications:** SEC UNIT 21-8920

### Site and Area Context

The subject property is located north-west of the Winston Churchill Boulevard and Tacc Drive intersection in the Churchill Meadows neighbourhood. The property contains a semi-detached dwelling, which represents the predominant residential built form in the immediate area. The lot has a frontage of +/- 6.80m (22.31ft), which is consistent with the surrounding residential

development. There are limited landscaping and vegetation elements present in the front yard of the subject property.

The applicant is in the process of applying for a second unit on the property, requiring variances 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 located within the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density. Section 9 of MOP promotes development (including its features such as driveways) 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 is proposing to maintain the existing driveway width of 5.6m (18.37ft). While driveways that can park 2 vehicles side by side are characteristic of this area despite limited frontages, staff note that the proposal represents a driveway that is wider than necessary to accommodate 2 vehicles. The intent of driveway width restrictions is to ensure appropriate soft landscaping within the front yard, and on lots with smaller frontages, it is necessary to balance the character of the area with the constraints of the subject property. Furthermore staff are

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concerned regarding the proximity of the driveway to the existing street tree and potential impacts on its health.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the Zoning By-law and is not minor in nature. Staff recommend that the application be deferred to allow the applicant to redesign the proposed driveway.

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.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 21-8920. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that an alternative minor variance to a proposed widened driveway to fit an additional parking space, as required, for a proposed Second Unit is the following:

- The applicant requests the Committee to approve a minor variance to allow a widened driveway with a width of 5.6m (approx. 18.4ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3m (approx. 14.1ft) in this instance.

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