

City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A44.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 PM

Consolidated Recommendation

The City has no objections to the variances as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing walkways with:

1. A walkway attachment (westerly) of 3.96m (approx. 12.99ft) to the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) to a driveway in this instance; and,
2. A walkway attachment (easterly) of 6.96m (approx. 22.83ft) to the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) to a driveway in this instance.

Background

Property Address: 1583 Watersedge Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2 - Residential

Other Applications:

Minor Variance – A204.19

Preliminary Application Meeting – PAM 18.268

Site Plan - SPI 18.127, SPAX 19.91

Building Permits – BP 9ALT 19.5669, BP 9NEW 18.4105

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood, southeast of Southdown Road and Lakeshore Road West. The neighbourhood is entirely residential consisting of large one and two storey-detached dwellings, on large lots with mature vegetation in the front yards. The subject property is a two storey detached dwelling with vegetation in the front yard.

The applicant is seeking to allow the existing walkways requiring variances for walkway attachment widths.



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 are as follows:

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

The site is located within the Clarkson- Lorne Park Neighbourhood Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I 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. The proposed walkways are permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variances #1 and 2 pertain to walkway attachments. The intent of this portion of the bylaw is to provide a convenient surface for pedestrians (not vehicles) and assist in defining an entryway to the dwelling. Staff has no concerns with the variances proposed.

With respect to Variance #1, while the walkway attachment appears to be excessive, staff is of the opinion that the design and orientation of the walkway would not encourage automobile use. With respect to Variance #2, staff is of the opinion that the walkway attachment could be utilized for parking, thereby adding to the overall width of the existing driveway. Recognizing that the subject property has 30.48m (100ft) of frontage, driveways on lots with frontages of 18.0m (59ft) or greater, are permitted to have a maximum driveway width of 10.5m (34.45ft) within 6.0 m of the garage face provided that it is providing direct vehicular access to the garage. The proposed driveway (inclusive of the walkway) does not provide full direct vehicular access to the garage as a portion of the driveway extends beyond the face of the garage. Recognizing that while the driveway extends beyond the face of the garage, staff note that the width of the proposed driveway is 8.59m (28.18ft), which is significantly less than the maximum permitted by the by-law, and feel that it still meets the general intent of the by-law for properties with frontages larger than 18.0m (59ft).

As such, staff is of the opinion that Variances #1 and 2 meet the purpose and general intent of the Zoning By-law.

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

The requested variances represent appropriate development of the lands. The request is minor and is reflective of the surrounding context. Furthermore, the proposed walkways are either unable to accommodate vehicular traffic or do not prompt additional variances for driveway width. Staff are of the opinion that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties

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Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos depicting the existing walkways and driveway on the subject property.







Comments Prepared by: John Salvino, 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