

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A59.22 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 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 with a driveway width of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance.

Background

Property Address: 5588 Cortina Crescent

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Hurontario St. and Barondale Dr. intersection. The property is an interior parcel, with a lot frontage of +/- 6.98m (22.9ft). Currently the property houses a two-storey, semi-detached dwelling with minimal vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of residential

detached and semi-detached dwellings. The properties within the immediate area possess lot frontages of +/- 7.0m (23ft), with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing to legalize the existing 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:

The subject property is located in the Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The intent of limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping.

Staff note that while widened driveways are present in the surrounding context, the proposed driveway represents a significant widening of the hard surface and reduction in soft landscaping. While the angle of the driveway does provide some soft landscaping within the municipal boulevard, staff are of the opinion that the significant hardscaping of the upper half of the driveway represents a larger impact to the streetscape when compared to a legal driveway size for the property if it were constructed parallel to the side lot lines.

Given the above, Planning staff are of the opinion that the application does not maintain the general intent and purpose of the Zoning By-law and that the requested variance is not minor in nature due to the scale of the driveway on the lot and its impacts on the streetscape.

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 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