

# City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A61.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 1:00:00 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 an existing driveway with a driveway width of 5.0m (approx 16.4ft.) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.8m (approx. 12.5ft) in this instance.

## Background

**Property Address:** 7272 Lowville Heights

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM2-24 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Tenth Line West and Cactus Gate intersection in the Lisgar neighbourhood. It currently contains a semi-detached dwelling with an attached garage and a lot frontage of +/- 6.8m (22.3ft). Limited landscaping and vegetation elements are

present in the front yard. The surrounding area context is exclusively residential, consisting of a mix of semi-detached on similarly sized lots and detached dwellings on larger lots.

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 designated Residential Low Density II in the Mississauga Official Plan (MOP) and is within the Lisgar Neighbourhood Character Area. Section 9.1 of the MOP states that a driveway width should respect the identity and character of the surrounding context. A review of the surrounding context shows that slightly widened driveways are a common attribute for semi-detached properties in the area. Staff are of the opinion that the proposed driveway appropriately balances and maintains the character of hardscaping and soft landscaping in the area. The proposal maintains 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 zoning regulations regarding driveway width is to allow a driveway width large enough to accommodate the parking requirements of the dwelling, with the remainder of the lands being used as soft landscaping. While the soft landscaped area is reduced due to the widened driveway, the size of the widening is appropriate and there is still ample soft landscaping on the east side of the existing driveway which provides a visual separation from the neighbouring property. The other side the driveway is joined with the attached neighbour's driveway, providing no buffer between the properties even if the driveway was constructed as-of-right. The requested variance, in staff's opinion, 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 requested variances represent appropriate development of the lands. The request is minor and is reflective of the surrounding context, where slightly widened driveways are a regular occurrence. Staff are of the opinion that the impacts of the requested variance are minor and will not cause undue impacts on adjacent properties.

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