

# City of Mississauga Department Comments

Date Finalized: 2022-03-16	File(s): A118.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-24 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 width of 6.8m (approx. 22.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

## Background

**Property Address:** 5256 Palmetto Pl

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM1-14 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located north-east of the Erin Centre Boulevard and Oscar Peterson Boulevard intersection in the Churchill Meadows neighbourhood. It is a corner lot and currently contains a semi-detached dwelling with an attached garage and lot frontage of +/- 12m (39.4ft). Limited landscaping and vegetation elements are present in both the front and exterior side

yards. The surrounding area context is exclusively residential, consisting predominantly of a mix of semi-detached and townhouse dwellings.

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 Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). 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 some widened driveways are present in the surrounding context, the proposed driveway represents a significant widening of the hard surface and reduction in soft landscaping. There is virtually no soft landscaping left in the front yard of the subject property, except where the front yard meets the exterior side yard at the curve of Palmetto Place. Furthermore a site visit by staff revealed vehicles are being parked on the extension parallel to the street, which raises safety concerns and impacts the streetscape.

Given the above, Planning staff are of the opinion that the application does not maintain the general intent and purpose of the Official Plan or Zoning By-law, and that the requested variance is neither appropriate nor 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

Enclosed for Committee's information are some photos which depict the widened driveway which allows two vehicles to be parked parallel to the municipal roadway where a significant portion of the parking area being utilized is located within the Palmetto Place municipal right-of-way. The city must ensure that sight visibility and vehicle manoeuvrability is not impacted for any vehicles exiting the driveway, in particular in an area in such close proximity to the road curvature of Palmetto Place.

In view of the above we cannot support the application and would request that the widened driveway in question be reinstated with topsoil and sod should the application not be 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