

City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A367.22
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 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 widened driveway with a driveway width of 10.3m (approx. 33.79ft) whereas By-law 0225-2007, as amended, permits maximum driveway width of 6.0m (approx. 19.69ft) in this instance.

Background

Property Address: 4573 Bismark Cres

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-15 - Residential

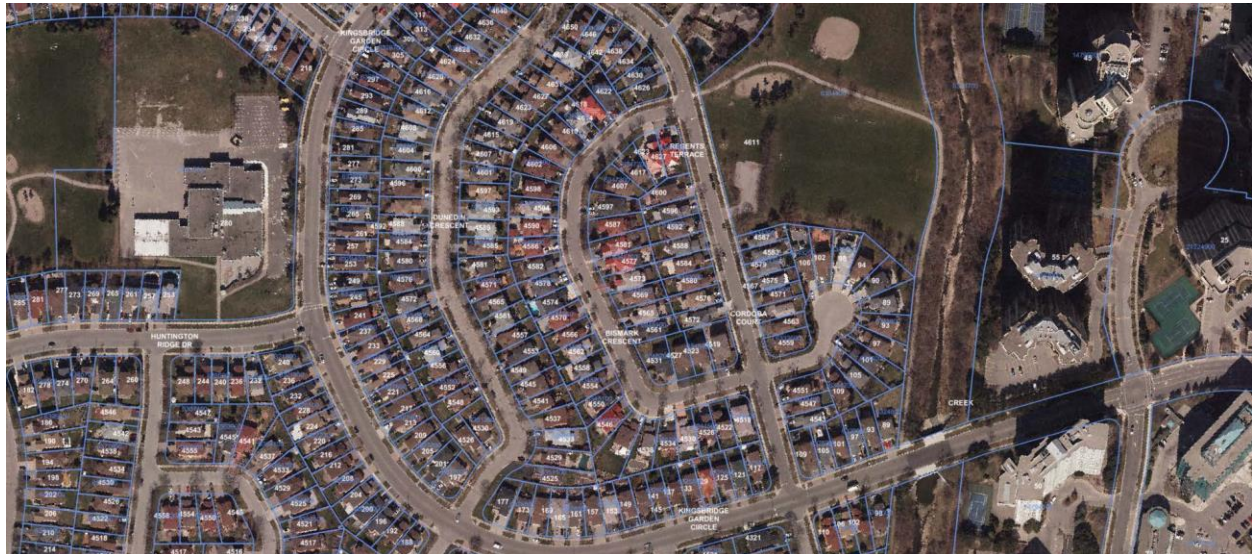
Other Applications: None

Site and Area Context

The subject property is located south-west of the Hurontario Street and Eglinton Avenue West intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front yard. The property has a

frontage of +/- 12.4m (40.7ft), which is characteristic of the surrounding neighbourhood. Townhouses and semi-detached dwellings are present in the larger area context.

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:

The subject property is located within the Hurontario Neighbourhood Character Area and is designated Residential Low Density II. 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 modify the subject property's driveway to a width of 10.3m (33.8ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The subject property has a frontage of +/- 12.4m (40.7ft), and the proposed

driveway would represent over 80% of the front yard area which is out of character for the surrounding context. Furthermore the proposed width would facilitate the parking of 3 to 4 vehicles across, contrary to the intent of the zoning by-law.

Staff are of the opinion that, as requested, the driveway does not meet the general intent or purpose of the zoning by-law, is not minor in nature, and is not desirable development of the subject property. Staff therefore recommend that the application be refused.

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

In the absence of a development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Certificate of Occupancy, the applicant may consider applying for a preliminary zoning review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Gary Gagnier, Zoning Examiner