

# City of Mississauga Department Comments

Date Finalized: 2022-11-02	File(s): A494.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-11-10 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing:

1. A driveway width of 13.73m (approx. 45.05ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A north westerly walkway attachment width of 2.11m (approx. 6.92ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A southwesterly walkway attachment width of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,
4. Two westerly walkway attachments whereas By-law 0225-2007, as amended, permits a maximum of 1 walkway attachment in this instance.

## Background

**Property Address:** 1295 Saginaw Cres

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

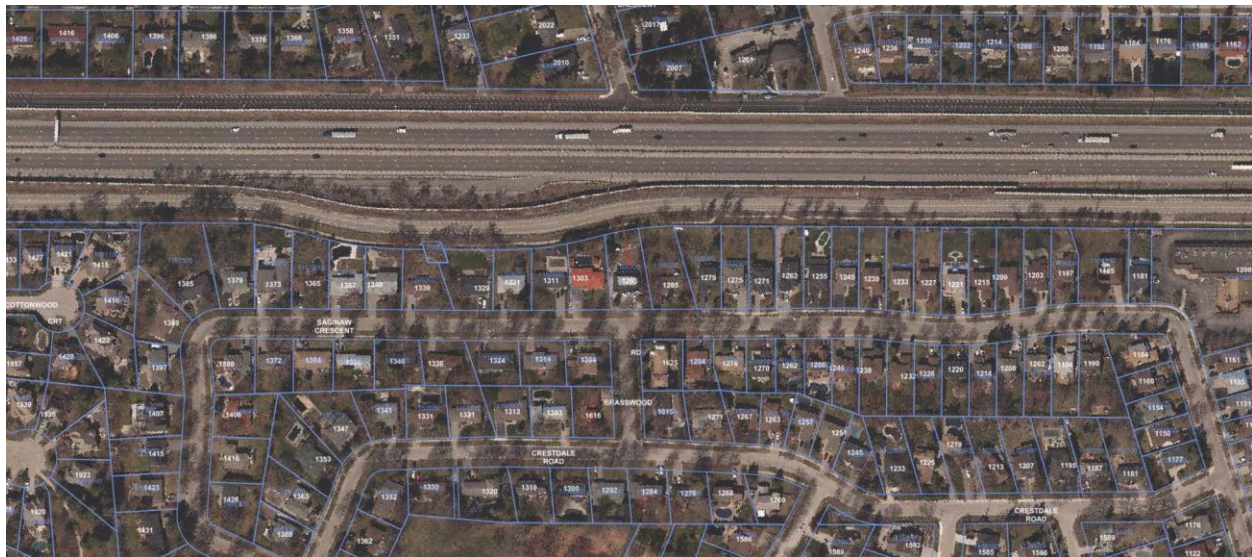
**Zoning:** R2-4 - Residential

**Other Applications:** PREAPP 22-776

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of the South Sheridan Way and Indian Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting to permit an existing driveway requiring variances for driveway width, amount of walkway attachments and 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:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

Staff reviewing the corresponding Site Plan Infill application (SPI 17-95) are of the opinion that either variance #1 OR 2 is required, not both, because one of the variances being sought may eliminate the requirement for the other. Zoning staff have not provided any additional information in order to determine which variance is required. As such, both variance requests have been evaluated in this report.

Variance #1 relates to driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. Staff note that the portion of the existing driveway designed to accommodate parking is approximately 7.19m (23.59ft) in width, below the maximum driveway width requirement in the by-law. The combined width of the driveway parking area (7.19m) and the length of the existing concrete walkway, creates a total width of the hard surface at 13.73m, which requires the variance. This portion of existing concrete may also be interpreted by Zoning staff as a walkway. Staff note that this “walkway” is located perpendicular to the façade of the dwelling and is attached to the parking area at a 90-degree angle, ensuring it will not be utilized for parking. Lastly, the width of this “walkway” is 2.1m (6.89ft), which is 0.5m(1.64ft) less than the minimum width required for a parking space, ensuring the walkway will not be used for parking purposes.

Variances # 2, 3 and 4 relate to walkway attachments. The intent of this portion of the by-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes. Staff note that the walkway widths proposed represent a minor deviation from the zoning by-law requirements. Further, staff have no planning concerns with the number of westerly walkway attachments in this instance as no variances are being sought for deficient soft landscaped area and the walkway attachments are dimensioned and oriented in a manner that ensures they will not be used for parking.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos of the existing driveway and walkway. We have no drainage related concerns.







Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-776. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo, Zoning Examiner

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by:      Patrycia Menko, Junior Planner