

# City of Mississauga Department Comments

Date Finalized: 2022-10-26	File(s): A421.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-11-03 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 application to permit an existing driveway proposing:

1. A driveway width of 15.07m (approx. 49.44ft) within 6m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within 6m of the garage face in this instance; and,
2. A driveway width of 13m (approx. 42.65ft) beyond 6m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.88ft) beyond 6m of the garage face in this instance.

## Background

**Property Address:** 1471 Helm Ct

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

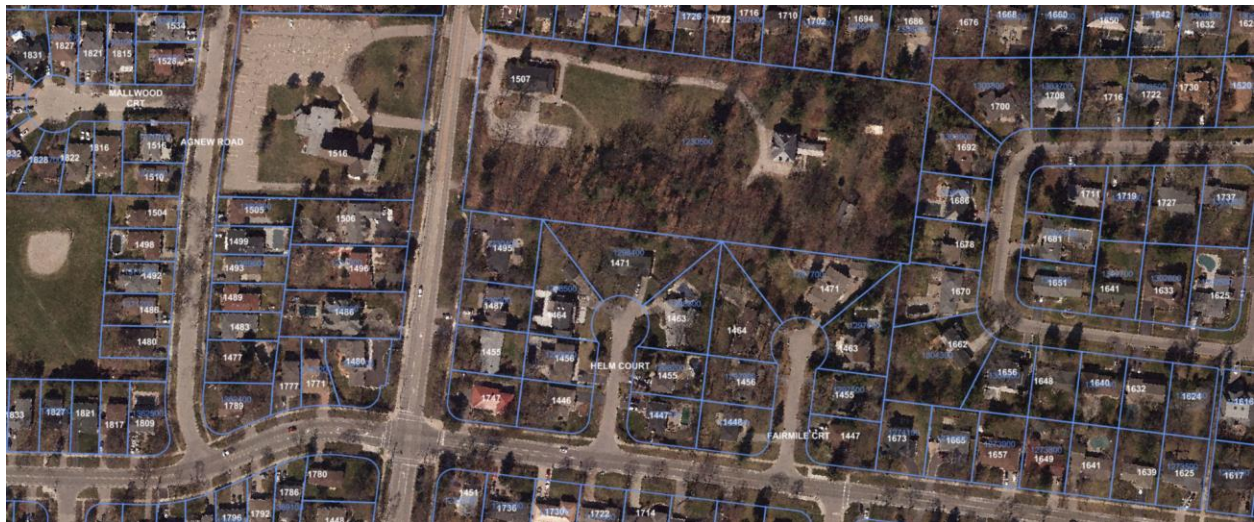
**Zoning:** R2-4 - Residential

**Other Applications:** none

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Clarkson Road North and the Queen Elizabeth Way. Directly abutting the subject property to the north is the Benares Historic House. The immediate neighbourhood is primarily residential, consisting of one and two-storey single detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a widened driveway requiring variances 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 are as follows:

The subject property is located within the Clarkson- Lorne Park Neighbourhood Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The Committee of Adjustment deferred this application on April 20<sup>th</sup>, 2022, to allow the applicant an opportunity to confirm the accuracy of the requested variance and determine if additional variances are required.

Variances #1 and 2 pertain to driveway width. Under the zoning by-law, the maximum driveway width permitted on a property of this size, is 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89 ft.) beyond 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3-car garage, while also limiting the width closer to the street in order to mitigate impacts to the streetscape. While the proposed driveway does not provide direct access to a 3-car garage, however, Staff is of the opinion that the driveway maintains the intent of the regulation by limiting the width closer to the street. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping. Lastly, the driveway does not appear excessive when viewed from the street as the subject property has an approximate frontage of 42m (138ft) and widened driveways are not out of character for the area.

It is staff's opinion that the proposed driveway is sympathetic to the surrounding area and does not impact the neighbouring properties. 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 Committee's information is a photo showing the existing stone driveway area. We have no drainage related concerns.



Comments Prepared by: John Salvino, 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/Zoning Certificate of Occupancy application, 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: Amy Campbell, Planner-in-Training

### **Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

Should the application be approved, Community Services provides the following notes:

1. The lands adjacent of the subject property are owned by the City of Mississauga, known as Benares Museum Grounds (P-415).
2. If future construction is required, access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### **Appendix 4- Region of Peel**

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner