

# City of Mississauga Department Comments

Date Finalized: 2023-01-04	File(s): A638.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-01-12 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve minor variances to permit a new driveway and to maintain the existing driveway proposing:

1. A driveway width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, requires a driveway width of 6.00m (approx. 19.69ft) in this instance and,
2. A total of 2 driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance.

## Background

**Property Address:** 7351 Lantern Fly Hollow

### Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

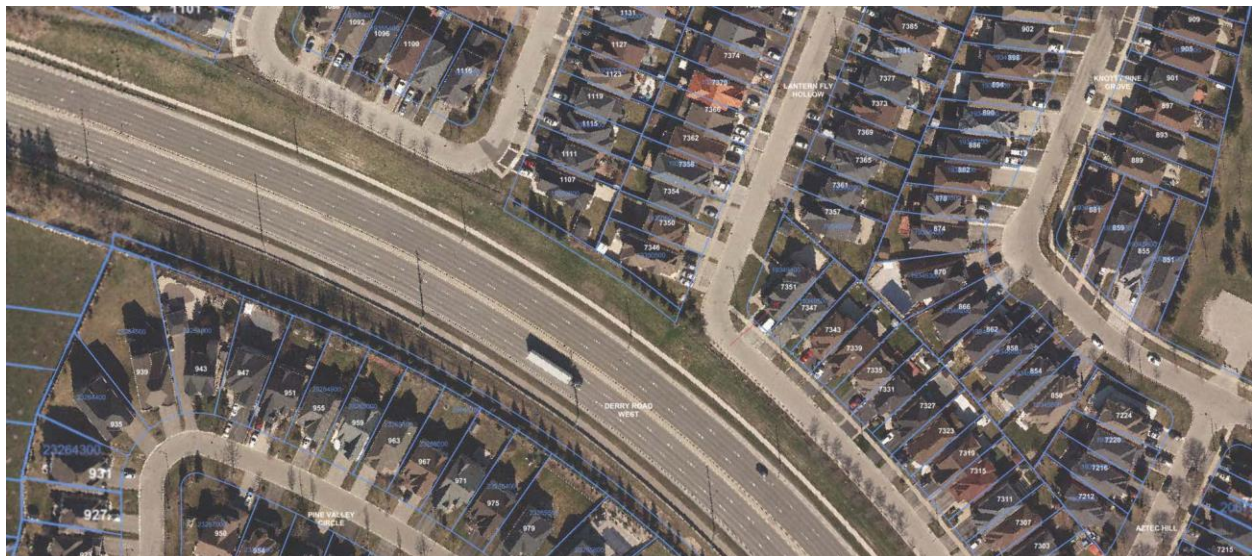
**Zoning:** R11-1-Residential

**Other Applications:** PREAPP 22-1536

### Site and Area Context

The subject property is located north-west of the Derry Road West and Mavis Road intersection in the Meadowvale Village neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The property is a corner lot, on the interior of a curve of Lantern Fly Hollow. It has a frontage of +/- 13.53m (44.39ft), which is slightly larger than dwellings in the surrounding context as it is a corner lot. Limited landscaping and vegetative elements are present in both the front and exterior side yards. The surrounding area context is exclusively residential, consisting of detached dwellings on lots of generally similar frontages and semi-detached dwellings on lots with smaller frontages.

The applicant is proposing to widen the existing driveway and construct a second driveway, requiring variances for driveway widths, driveway setback, and number of driveways.



## 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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II 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 applicant is proposing to construct a second driveway with a width of 6.1m (20ft). 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 driveway provisions within the by-law are to ensure sufficient parking can be provided for the intended use of the property while not overburdening the property with excessive hardscaping.

The proposed driveway, in addition to the primary driveway on the property, represents a significant amount of hardscaping that, in the opinion of staff, is out of character for the surrounding area. Staff are also of the opinion that a property with two driveways would be out of character in the neighbourhood. While connected circular driveways are permitted on lots of certain sizes, staff note that the subject property does not possess the required frontage. Furthermore there are limits on the combined width of access points and the locations of access points, neither of which would be met by the proposal if the driveways had been connected.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the official plan or zoning by-law, and is not minor in nature. 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 cannot support and does not see the rationale in the variance requesting 2 driveways to be permitted on this lot, whereas a maximum of 1 driveway is permitted.

Acknowledging that this is a corner lot and Lantern Fly Hollow curves in close proximity to the area where the applicant is proposing the second driveway, we must also ensure that sight visibility is not impacted for any vehicles exiting the driveway and of greater concern for any vehicle driving around the road curvature.











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1536. 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: Brandon Eidner, Zoning Examiner

## **Appendix 3 – Region of Peel**

Servicing: Iwona Frandsen (905) 791 7800 x7920

### **Comments:**

- As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”

Comments Prepared by: Patrycia Menko, Junior Planner