

# City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A223.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 3:30:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing a driveway width of 6.90m (approx. 22.64ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance.

## Background

**Property Address:** 3070 Cabano Cres

### Mississauga Official Plan

**Character Area:** Churchill Meadows NHD  
**Designation:** Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM2-18 - Residential

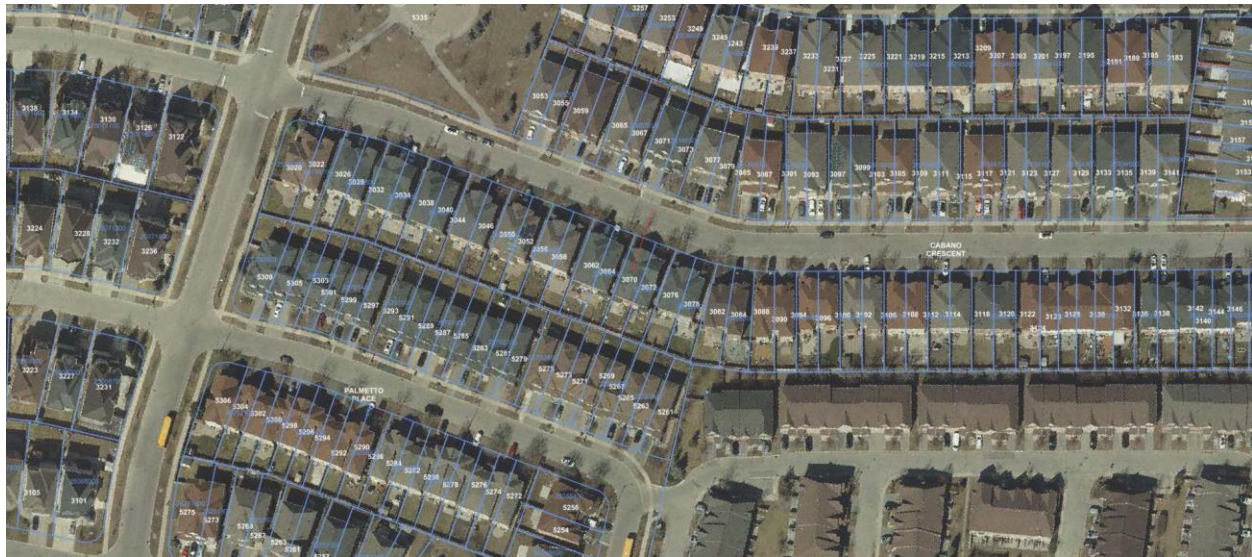
**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Oscar Peterson Boulevard and Cabano Crescent intersection. The property is an interior parcel with a lot area of +/- 237.25m<sup>2</sup> (+/- 2553.73 ft<sup>2</sup>) and a lot frontage of +/- 7.3m (+/- 23.95 ft). Currently, the property houses a two storey, semi-detached dwelling with some vegetation and landscape elements in both the front

and rear yards. Contextually, the area is predominantly comprised of two-storey, semi-detached and detached dwellings. The property is in close proximity to the Cabano Hill Park on the north side.

The applicant is proposing a variance for the 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 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 a driveway width of 6.90m (22.64ft). 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 the required parking under the zoning by-law, with the remainder of the front yard being soft landscaped area. The proposal represents excessive width and can facilitate the parking of two vehicles across, contrary to the intent of the zoning by-law. Furthermore, staff note that the

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resultant front yard has been significantly decreased, with minimal front yard amenity area present as a result.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred.

Comments Prepared by: Shivani Chopra, Planner in Training

## 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/Zoning Certificate of Occupancy Permit, 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: Brooke Herczeg, Zoning Examiner

## **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner