

# City of Mississauga Department Comments

Date Finalized: 2023-09-06	File(s): A300.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-14 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred for redesign.

## Application Details

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

1. A driveway width of 7.82m (approx. 25.66ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
2. An interior side yards setback (west) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.60m (approx. 1.96ft) in this instance.

## Background

**Property Address:** 5716 Prairie Circle

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

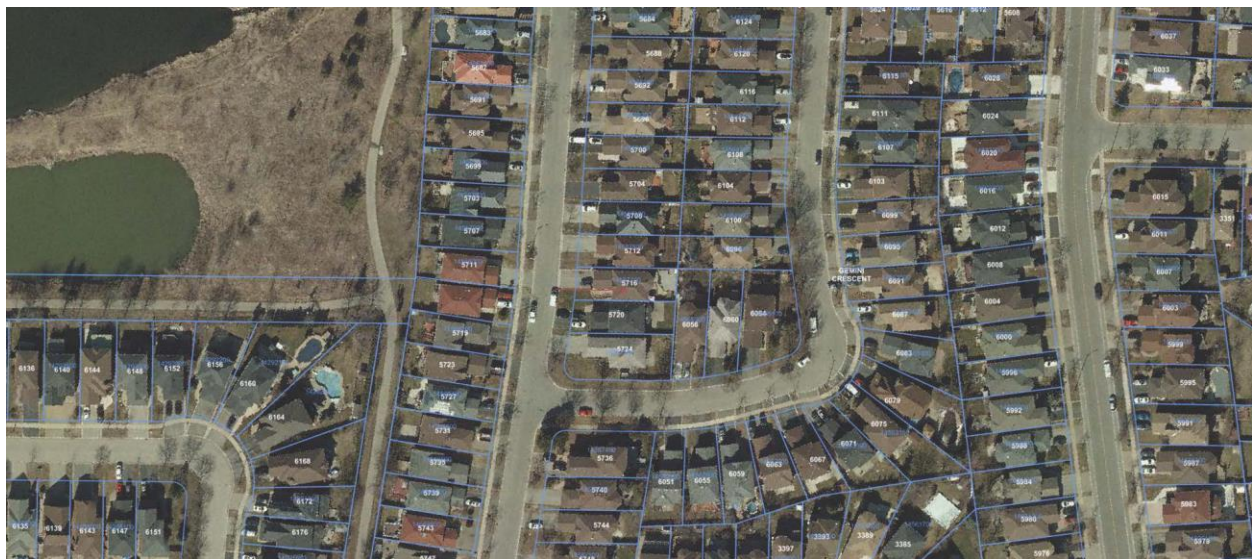
**Zoning:** R5- Residential

**Other Applications:** PREAPP 23-7582

### Site and Area Context

The subject property is located north-west of the Britannia Road West and Tenth Line West intersection in the Lisgar neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has an approximate lot area of +/- 368.69m<sup>2</sup> (+/- 3968.54ft<sup>2</sup>) characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwelling on similarly sized lots.

The applicant is proposing a widened driveway on the subject property requiring variances for driveway width and setback.



## 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 Lisgar Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as street townhomes. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. The planned character of the area are dwellings accessed by appropriately sized driveways and the proposal would not be compatible with the existing or planned character of the area. Staff are of

the opinion that the general intent and purpose of the official plan are not maintained in this instance.

Variance 1 proposes a widened driveway on the subject property. The planned character of the area is that of 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 proposed driveway would be able to facilitate the parking of 3 cars across, which is not the intent of the zoning by-law. Further, the proposal would create a significant amount of hardscaping which would dominate the perception of the property from the street. The subject property does not possess the lot frontage that can support the size of the driveway and remain within the intent of the regulations.

Variance 2 proposes a 0m setback between the proposed driveway and the side lot line. The intent of the driveway setback regulation is to ensure appropriate drainage can be maintained and that an adequate visual buffer exists between properties. The proposed driveway has eliminated the setback requirement and does not provide a visual separation.

Staff are of the opinion that the application be deferred to allow the applicant to redesign the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department would recommend that a minimum of a 0.61M setback be maintained abutting the property line, this is the area the applicant's Site Plan is depicting the left walkway.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department Staff have reviewed a Preliminary Zoning Review under file PREAPP 23-7582. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Andrew Wemekamp, Zoning Examiner

## **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner