

# City of Mississauga Department Comments

Date Finalized: 2023-10-04	File(s): A362.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-10-12 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 a driveway width of 7.40m (approx. 24.28ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 6385 Warbler Lane

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R5- Residential

**Other Applications:** None

### 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 frontage of +/- 11.05m (36.25ft)

and a lot area of 347.51m<sup>2</sup> (3740.56ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings on similarly sized lots.

The applicant is proposing to legalize a widened driveway on the subject property requiring a variance 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 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. The proposal is not 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 is not maintained in this instance.

The proposed variance relates to a widened driveway on the subject property. The planned character of the area are 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 creates a significant amount of hardscaping that dominates the perceived street frontage of the property. The subject property does not possess the frontage that can support the size of the driveway and remain within the intent of the regulations.

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 has no objections to the applicant's request.





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: Candice Williams, Zoning Examiner

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner