

# City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): A436.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to confirm the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway extension proposing a driveway width of 5.994m (approx. 19.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

## Background

**Property Address:** 4086 Jefton Crescent

### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1- Residential

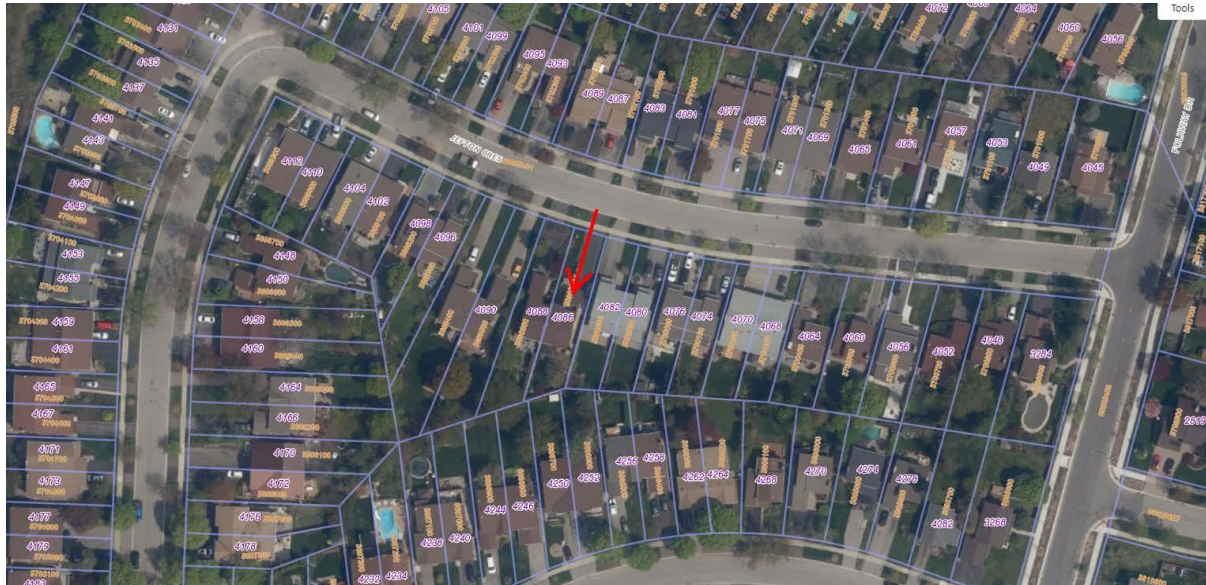
**Other Applications:** None

### Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, northeast of the Winston Churchill Boulevard and Burnhamthorpe Road West intersection. The immediate neighbourhood contains a mix of two-storey detached and semi-detached dwellings with mature

vegetation in the front yards. The subject property contains an existing two-storey semi-detached dwelling with an attached garage.

The applicant is proposing modifications to the existing driveway 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:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff are satisfied that the driveway width is appropriate for both the subject property and surrounding context, and therefore that the general intent and purpose of the Official Plan are maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The subject application proposes a driveway width of 5.994m (19.67ft). The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. Staff are of the opinion that the proposed width represents a minor increase from the maximum permissible driveway width of 5.20m (17.06ft). Staff are of the opinion that the driveway accommodates appropriate parking for a semi-detached dwelling and that the widened portion will not facilitate the parking of an additional vehicle. Staff note that no variance for soft landscaping is proposed and that the dwelling maintains an appropriate soft landscaping in the front yard. Staff are satisfied that the variance meets the general intent and purpose of the zoning by-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Planning staff are satisfied that the proposed driveway width variance represents a minor deviation from the permissible width and maintains the character of the area. Therefore, in staff's opinion the proposal is minor in nature, represents appropriate development of the subject property, and maintains the intent of both the official plan and zoning by-law.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the driveway which is under construction. We have no concern with the applicant's request.







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 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: Minan Song, Planner in Training