

# City of Mississauga Department Comments

Date Finalized: 2024-01-24	File(s): A59.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-02-01 1:00:00 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 a driveway proposing:

1. A driveway width of 9.11m (approx. 29.89ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A north side driveway walkway attachment width of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,
3. A south side continuous driveway walkway attachment width of 3.86m (approx. 12.66ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1579 Trotwood Ave

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

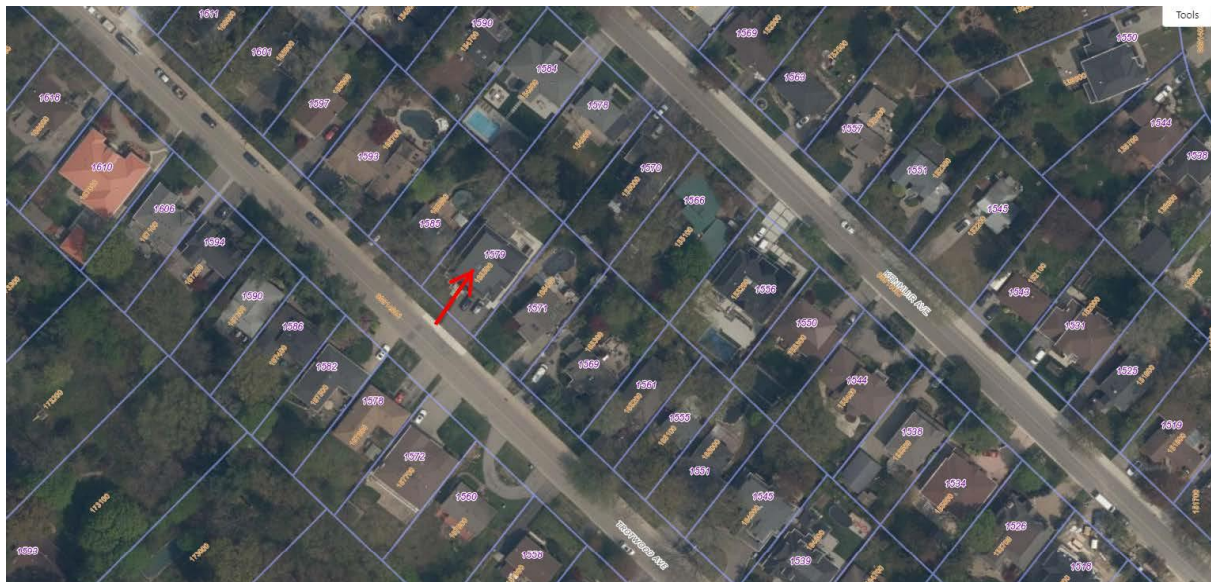
**Zoning:** R3-1- Residential

**Other Applications:** None

## Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southwest of the Kenmuir Avenue and South Service Road intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes to legalize an existing driveway requiring variances related to driveway width and walkway attachment.



## 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 are as follows:

The subject property is located in the Lisgar 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 requesting variances pertaining to a driveway width of 9.11m (29.89ft) and two walkway attachments measuring 1.52m (4.99ft) and 3.86m (12.66ft) in width. Staff note that the property frontage appears to be approximately +/- 20m (+/-65.61ft). While planning staff are not in a position to interpret the by-law, it appears that Variance #1 may be incorrectly worded and the maximum permissible driveway width would be 8.50m (27.89ft) instead of 6m (19.68ft) in this instance.

Through discussions with the applicant, it has been identified that Variance #3 pertaining to the walkway attachment to the south side of the driveway may be calculated incorrectly. Through further discussions with Zoning staff, it appears the south side walkway may be considered a part of the driveway, thereby not requiring the variance. That said, Planning staff are not in a position to interpret the zoning by-law and a preliminary zoning review is required to accurately identify variances.

Therefore, staff recommend the application be deferred to allow the applicant an opportunity to apply for a zoning review to confirm the accuracy of the requested variances and determine if additional variances are required.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the subject driveway. We do not have a drainage concern.



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.

Comments Prepared by: Minan Song, Planner in Training

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner