

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-10-28 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A312/20 Ward: 4
	Meeting date: 2020-11-05

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The Applicants request the Committee to approve a minor variance to allow a driveway width of 8.23m (approx. 27.00ft) on the subject property; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft), in this instance.

## Background

**Property Address:** 4118 Dunmow Crescent

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1 (Residential)  
**Other Applications:**

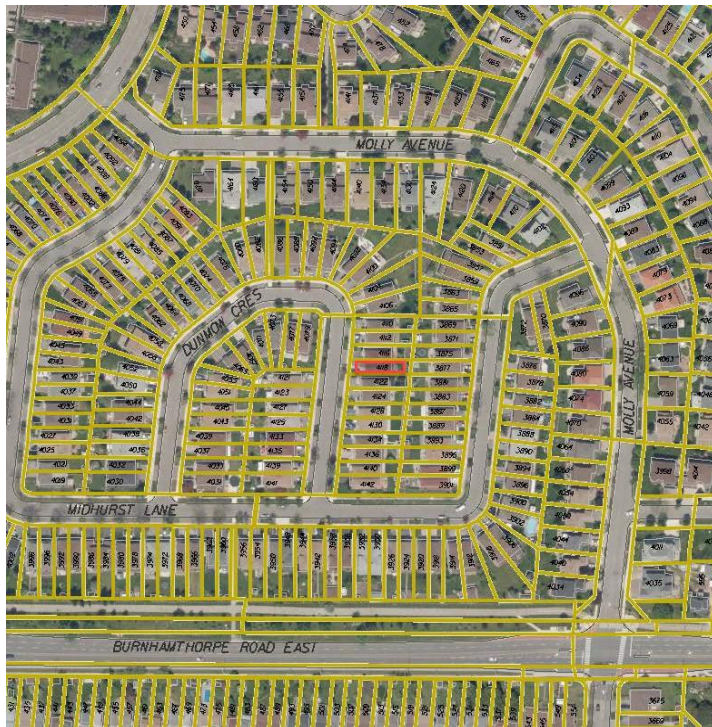
None

### Site and Area Context

The subject property is located north-west of the Burnhamthorpe Road East and Cawthra Road intersection and currently houses a two-storey, semi-detached dwelling with an attached single-

car garage. The immediate neighbourhood is exclusively residential in nature, with dwelling types ranging from single detached to townhome units. The properties within the immediate area possess lot frontages of approximately +/- 9.1m, with minimal vegetative elements located within their front yards.

The subject property is an interior parcel, with a lot area of approximately 350m<sup>2</sup>, and a lot frontage of 9.1m.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

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

The site is situated within the Rathwood Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached and semi-detached

dwelling serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the unaltered lots within this neighbourhood, which can be used to deduce the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned RM1 (Residential). Pursuant to Table 4.8.1.12.3 (RM1 and RM2 Permitted Uses and Zone Regulations), the maximum driveway width for a semi-detached dwelling is 5.2m; whereas, the Applicant is proposing 8.23m. The general intent of this portion of the Zoning By-law is to permit a driveway wide enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping / amenity space (front yard). The Applicant's proposal results in a driveway wide enough to accommodate three vehicles parked side-by-side. The variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

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

The variance, as requested, creates a significant amount hardscaping and results in the driveway being the predominant feature of the front yard (90% at its widest point). This is an undesirable development of the land, and one whose effects are not minor in nature.

## **Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, does not meet the criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

## 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: David Martin, Supervisor Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

## Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 5<sup>th</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Consent Applications:** B-54/20, B-55/20

**Minor Variance Applications:** A-312/20, A-338/20, A-340/20, A-341/20, A-342/20, A-344/20, A-345/20, A-348/20, A-349/20, A-350/20, A-352/20

Comments Prepared by: Diana Guida, Junior Planner