

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-01-13	File(s): A407.20 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-21

## Consolidated Recommendation

Planning Staff recommend that this application be withdrawn.

## Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a driveway width of 8.0m (approx. 26.2ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.5m (approx. 14.8ft) in this instance.

## Background

**Property Address:** 3083 O'Hagan Drive

### Mississauga Official Plan

Character Area: Erindale Neighbourhood Character Area  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

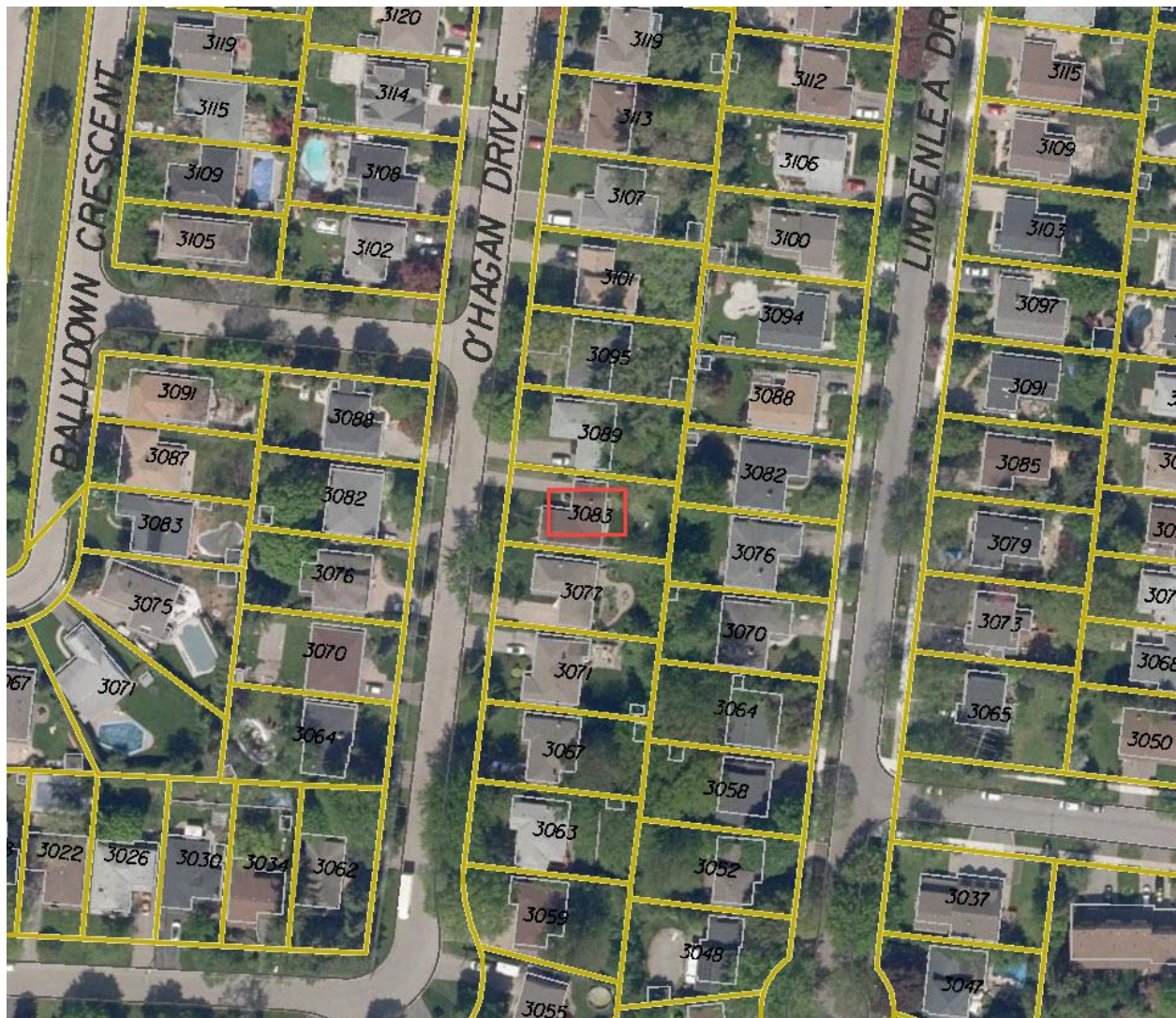
**Zoning:** R2 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is situated north-east of the Dundas St. W and The Credit Woodlands intersection. The property currently houses a one-storey, detached dwelling with an attached single-car garage and minimal vegetation and landscape elements in the front and rear yards. The immediate neighbourhood is exclusively low density residential in nature, with detached dwellings possessing mature vegetation and landscape elements scattered throughout the front yards. The properties within the immediate area possess lot frontages of +/- 18.0m.

The subject property is an interior parcel, with a lot area of approximately 707.75m<sup>2</sup>, and a lot frontage of 18.26m. The applicant is proposing a larger driveway that does not require a variance and is permitted as of right.



## 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 property is located within the Erindale Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low density dwellings with individual frontages. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The application is in line with both the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R2 (Residential). Pursuant to Section 4.1.9.13, lots having a frontage greater than 18.0m are permitted a maximum driveway width of 10.50m for the portion of the driveway that is within 6.0m of the front garage face. For the portion of the driveway beyond 6.0m of the front garage face, the driveway width may be increased to 8.50m. As the subject property has a lot frontage of 18.29 m, a variance regarding a driveway width of 8.0m is not required and permitted as of right. Staff is of the opinion that this application should be withdrawn.

## Conclusion

Planning staff are of the opinion that this application be withdrawn as the requested variance is permitted as of right.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner





## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the existing driveway.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Planner in Training, Zoning Examination

### **Appendix 5 – Region of Peel Comments**

Regional Planning staff have reviewed the applications listed on the January 21<sup>st</sup>, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Deferred Applications:** DEF-A-338/20.

**Consent Applications:** B-1/21, B-2/21.

**Minor Variance Applications:** A-355/20, A-407/20, A-9/21, A-14/21, A-15/21, A-16/21, A-17/21, A-18/21, A-19/21, A-36/21, A-37/21.

Comments Prepared by: Diana Guida, Junior Planner