

City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A9.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicants request the Committee to approve a minor variance to allow a side yard setback to a driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard setback to a driveway of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 3038 Cantelon Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

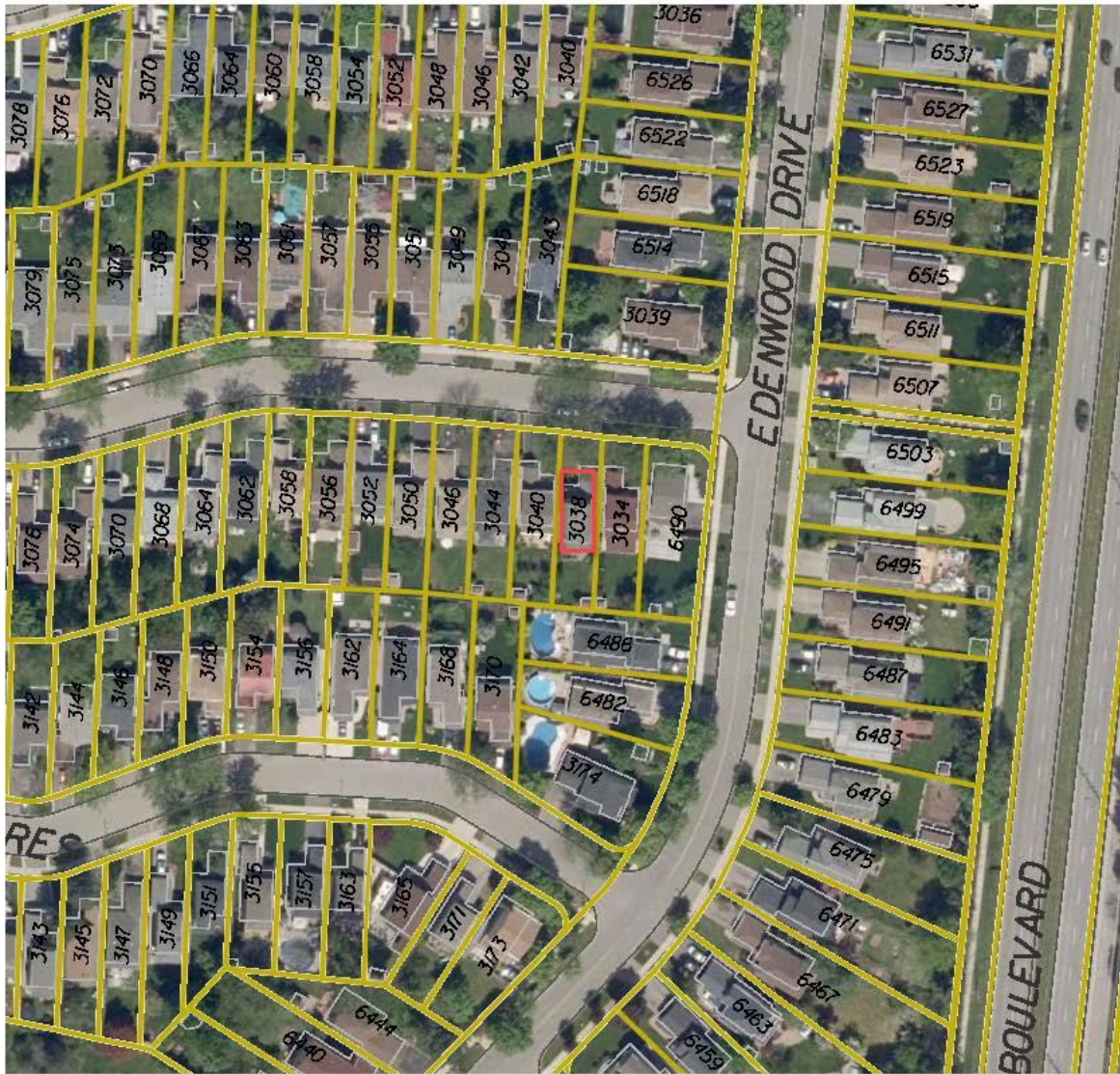
Zoning: RM1-5 - Residential

Site and Area Context

The subject property is situated south-west of the Winston Churchill Boulevard and Trelawny Circle intersection, and currently houses a two-storey, detached dwelling with an attached single-car garage and minimal landscaping elements in the front and rear yard. Contextually, the area is comprised exclusively of detached two-storey residential dwellings. The properties within the

immediate area possess lot frontages of approximately +/-10.0m (32.8 ft.), with moderate vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of 352.99m² (3,799.68 sq.ft.) and a lot frontage of approximately +/- 9.7m (31.82 ft.). The applicant is proposing a smaller side yard to accommodate a wider driveway, requiring a variance related to side yard setback.



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 Meadowvale 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 intent of this portion of the By-law is to ensure the opportunity for appropriate drainage and provide a visual separation between properties. Staff have completed a review of the application and surrounding area and note several instances of attached oversized driveways along this section of Cantelon Crescent. Staff are of the opinion that the application is appropriate to be handled through the minor variance process, and that the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that further to our previous comments we meet with the applicant, re-visited the property and had an internal discussion with staff to further review the request to allow a side yard setback to the driveway of 0.00m. In view of the above we are now advising that we are no longer opposing the request to allow the existing driveway as constructed on site.



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, Zoning Examiner