

City of Mississauga Department Comments

Date Finalized: 2023-05-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A122.23 Ward: 3
	Meeting date:2023-05-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 5.90m (approx. 19.36ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 4356 Shelby Cres

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Eastgate Parkway and Tomken Road intersection in the Rathwood neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative elements are

present in the front yard. The property has an approximate lot frontage of 9.15m (30.02ft), characteristic of lots in the area. The surrounding context is exclusively residential, consisting of two-storey detached dwellings with attached garages on similarly sized lots.

The applicant is proposing a modified 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:

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I 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 limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping.

The proposed driveway is an appropriate width to accommodate two vehicles across while maintaining an appropriate buffer to the side lot lines. Driveways wide enough to accommodate the parking of two vehicles across are characteristic of the area, and the proposal does not request excessive hard surface area above the requirement for two vehicles side by side. Furthermore staff note that an appropriate soft landscaped area in the front yard is maintained.

Planning staff are satisfied that the proposed driveway width variance 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: Alexander Davies, 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: Tony Iacobucci, 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner