

City of Mississauga Department Comments

Date Finalized: 2023-06-07	File(s): A433.22 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-15 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 an existing driveway width proposing:

1. A driveway setback from the side lot line of 0m whereas By-law 0225-2007, as amended, requires a minimum driveway setback from the side lot line of 0.6m (approx. 1.9ft) in this instance; and,
2. A driveway width of 7.7m (approx. 25.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6m (approx. 19.6ft) in this instance.

Background

Property Address: 4250 Angeloni Drive

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R5-Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Rathburn Road East and Central Parkway East intersection in the Rathwood neighbourhood. It currently contains a detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front yard. The property has a lot frontage of +/- 9.7m (+/- 31.8 ft), characteristic of other lots along Angeloni Drive. The surrounding context is predominantly residential, consisting of a mix of detached and semi-detached dwellings.

The applicant is proposing to legalize the existing driveway requiring variances for driveway width and driveway 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 East Credit 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.

Variance 1 proposes a reduced setback to the driveway and variance 2 relates to the driveway width. The intent of the driveway width regulations in the by-law are to permit a driveway that can accommodate the required parking, with the remainder of the front yard being soft

landscaped area. The intent of the driveway setback regulation is to ensure appropriate drainage can be maintained and a visual separation of properties is provided. Planning staff are of the opinion that a complete elimination of the setback requirement does not provide a visual separation or allow for appropriate site drainage. Furthermore the subject property's driveway represents a significant amount of hardscaping which presents a significant impact to the streetscape and is out of character with the surrounding context.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred to allow the applicant to reduce the size of the driveway.

Comments Prepared by: Shivani Chopra, Planner in Training

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