

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2020-12-02 | File(s): A391/20 Ward: 4 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-10 |

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, as requested, meets the requirements of Section 45(1) of the *Planning Act*.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a widened driveway, proposing:

1. A driveway width of 6.50m (approx. 21.32ft); whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft), in this instance; and,
2. 16.05% front yard landscaping; whereas, By-law 0225-2007, as amended, requires a minimum 30% front yard landscaping, in this instance.

Recommended Conditions and Terms

Planning Staff are satisfied with the proposed driveway configuration, but would echo the Zoning Department's concern regarding the absence of any formal permit applications.

Should Committee see merit in this Application, Planning Staff would recommend the following condition(s) be imposed to ensure that the Applicant is not required to seek further relief:

- Any approval be tied to the submitted site plan drawing (Site Plan, Ultimate Building Design, Oct/16/2020).

Background

Property Address: 4493 Full Moon Circle

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5 (Residential)

Other Applications:

None

Site and Area Context

The subject property is located south-east of the Central Parkway East and Eglinton Avenue East intersection, and currently houses a two-storey, detached dwelling with an attached double-car garage. Contextually, the area is comprised exclusively of detached residential structures. The properties within the immediate area possess lot frontages of approximately 9.90m, with minimal vegetative / natural landscaped elements within the front yards. The subject property is a pie-shaped, interior parcel, with a lot area of 350.1m² and a lot frontage of approximately 10.0m.



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:

The Applicant is proposing to reduce the width of the existing driveway, removing the most egregious aspects of the current configuration – hard-surfacing extending to each of the neighbouring property lines – and subsequently reinstating soft-landscaping in these removed portions.

Planning Staff note, the proposed configuration prohibits three vehicles parked side-by-side. Further, as a result of the aforementioned reductions / reinstatements, the proposed driveway will appear appropriately sized from a streetscape perspective.

Planning Staff are of the opinion that Variance 2, as requested, represents a technical deficiency, as the Zoning Dept. has interpreted the area beside the garage to also be considered the “front yard”, despite being located behind the front garage face. Planning Staff note, were this area removed from this calculation, this variance would most likely not be required.

Further, theoretically the existing dwelling’s front façade could be extended to be in line with the aforementioned garage face, without requiring any variances, yet still result in this area covered in hard-scaping. As such, Planning Staff cannot discern any additional undue impact created as a result of Variance 2, as requested.

Through a detailed review, Staff is of the opinion that the application, as requested, is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The Planning and Building Department 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*. Should Committee see merit in the Application, Planning Staff would recommend the identified condition(s) below be imposed.

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 December 10th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-301/20

Minor Variance Applications: A-391/20, A-393/20, A-394/20, A-399/20, A-400/20,

A-404/20, A-406/20

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 - Ministry of Transportation of Ontario

The above property-project is within the MTO PCA. Should there be planned structural changes, then a MTO Building Permit will be required. The changes to the driveway length are not a concern to the MTO.

Comments Prepared by: Corey Caple, Corridor Management Officer