

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A196.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicants request the Committee to approve a minor variance to allow 2 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

### Amendments

No approval documentation could be located for the additional noncompliance driveway width. Therefore an additional variance is required for the altered driveway:

A driveway width of 5.49m; whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3m in this instance.

## Background

**Property Address:** 5537 Fudge Terrace

### Mississauga Official Plan

Character Area: Churchill Meadows NHD  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

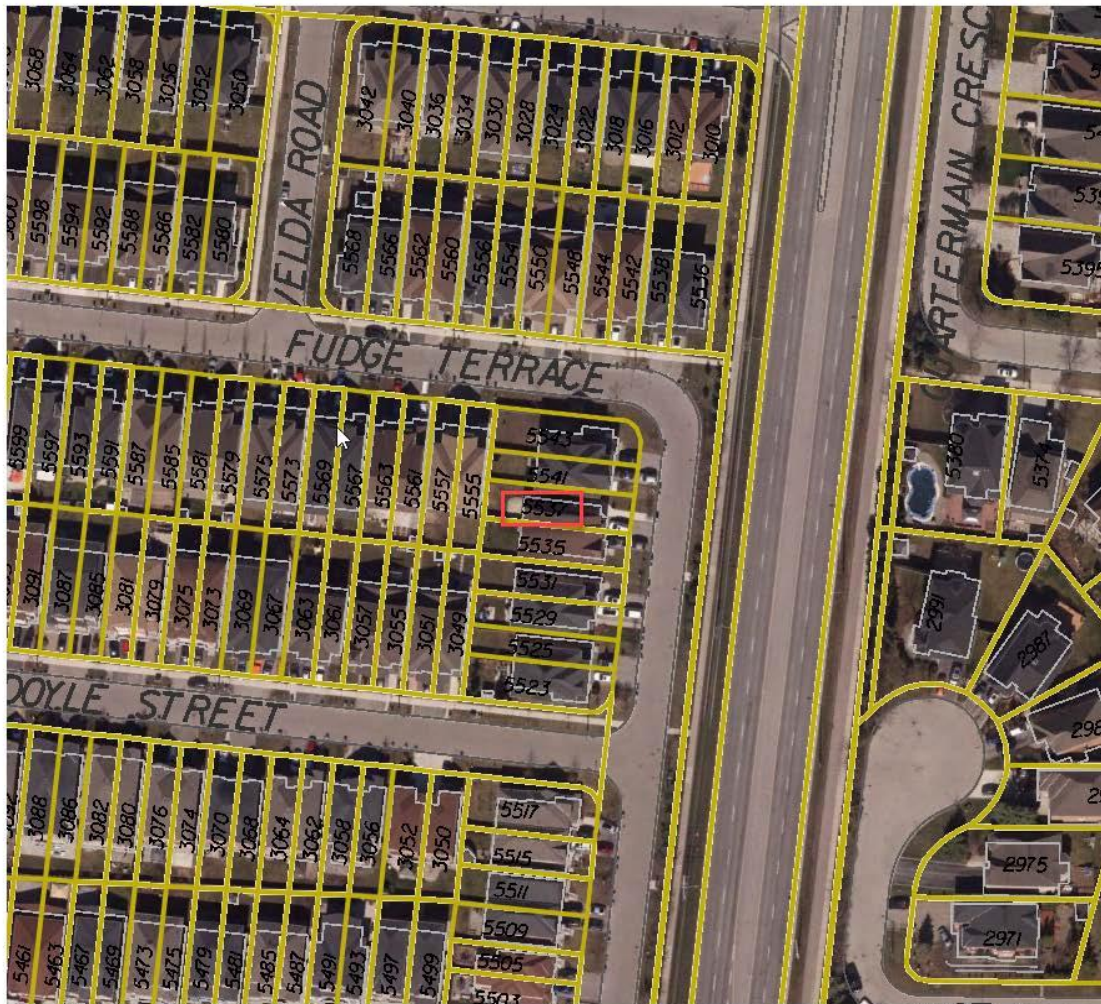
**Zoning:** RM5-48 - Residential  
**Other Applications:** None

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**Site and Area Context**

The subject property is located south-west of the Thomas Street and Winston Churchill Boulevard intersection. The property is an interior parcel with a lot area of +/- 281.54m<sup>2</sup> and a lot frontage of +/- 8.55m. Currently, the property houses a two-storey, semi-detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of two-storey, semi-detached dwellings that possess lot frontages of +/- 7m with vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing a second unit that requires a variances for parking.



## 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:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located within the East Credit Neighbourhood character area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Medium Density designation permits all forms of townhouse dwellings. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use.

CPS Staff note that the property possesses a single car garage, widened driveway and municipal boulevard length long enough to house two vehicles parked side-by-side and in tandem. Planning Staff is unclear as to why a variance for 2 parking spaces is being sought when 3 parking spaces are provided in the applicant's drawings. Planning Staff sent the applicant an email on Thursday June 10<sup>th</sup> to discuss this matter and did not receive a response. Additionally, while Planning Staff are not in a position to provide an interpretation of the Zoning By-law; however, Planning Staff would note that additional variances may be required for the widened driveway and the proposed below grade entrance to the basement apartment. Planning Staff recommends that the application be deferred to permit the applicant time to amend their variance(s).

## Conclusion

The Planning and Building Department recommends that the application be deferred.

Comments Prepared by: Connor DiPietro, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos which depict the existing driveway.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing preliminary zoning review application SEC UNIT 20-2360. From a review of this application it appears that concrete paving has been installed running along the north side of the driveway. This paving is considered part of the driveway width as per:

### Article 4.1.9.1

The calculation of driveway width shall include any continuous hard surface area that may be used for the parking of motor vehicles.

No approval documentation could be located for the additional noncompliance driveway width. Therefore an additional variance is required for the altered driveway:

A driveway width of 5.49m; whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3m in this instance.

Our comments are based on the plans received by Zoning staff on 2020-09-01 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the preliminary zoning review process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the preliminary zoning review process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner