

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A257.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

Consolidated Recommendation

The City has no objection to the application, as amended. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to allow:

1. A driveway width of 5.28m (approx. 17.32ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance; and
2. 0 parking spaces for a basement unit whereas By-law 0225-2007, as amended, requires a minimum of 1 parking space for a basement unit in this instance.

Amendments

While Planning Staff are not in a position to interpret the Zoning By-law, based on a review of the application it appears that variance #2 can be removed should variance #1 be approved.

Background

Property Address: 3344 Stoney Crescent

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

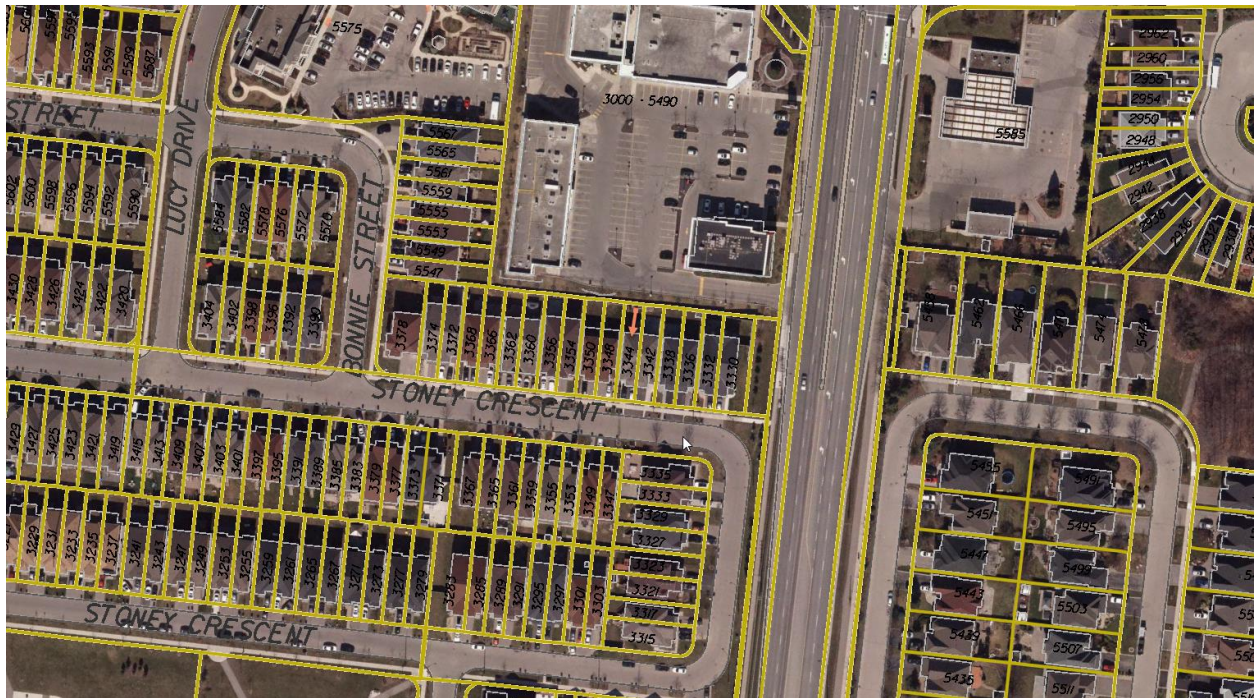
Zoning: RM5-48 - Residential

Other Applications: SEC UNIT 21-5436

Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street intersection, in the Churchill Meadows Neighbourhood Character Area. The property contains a semi-detached dwelling, which represents the predominant residential built form in the immediate area. The lot has a frontage of +/- 6.73m, which is consistent with the surrounding residential development. To the rear of the property is a commercial plaza and associated parking lot.

The applicant is in the process of applying for a second unit on the property, requiring variances for parking and 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:

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

The subject property is designated Residential Medium Density in the Mississauga Official Plan (MOP) and is within the Churchill Meadows Neighbourhood Character Area. Section 9.1 of the MOP states that a driveway width should respect the identity and character of the surrounding context. A review of the surrounding context shows that widened driveways are a common attribute for properties in the area, and the proposed driveway is in line with surrounding extensions. Further, Section 7.2 of the MOP indicates that Mississauga will provide opportunities for a variety of affordable dwelling types and encourage the development of new rental units. The increased driveway width is to facilitate parking for a permitted secondary unit. Secondary units play a vital role in today's housing market by representing an affordable option for housing for area residents as well as providing additional rental stock in the City. The proposal maintains the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 for a driveway widening (existing condition) allows the property owner to accommodate two cars side by side on the driveway. The semi-detached dwelling has a garage for one parked vehicle. Based on the submitted information, the applicant can accommodate all three (3) required parking spaces onsite assuming that the proposed driveway widening variance #1 is approved by the Committee. Should the application be approved by the Committee, variance #2 would not be required.

The intent of the zoning regulations regarding driveway width is to allow a driveway width large enough to accommodate the parking requirements of the dwelling, with the remainder of the lands being used as soft landscaping. In this instance the applicant is requesting a widened driveway in order to accommodate the parking of an additional vehicle for a proposed secondary unit. While reduced, soft landscaping does exist on the property on the west side of the existing driveway, providing a visual separation from the neighbouring property. The easterly side the driveway is adjoined with the attached neighbour, providing no buffer even if the driveway width complied with the Zoning By-law. Staff note that the RM5-48 zone does not provide for a specific soft landscaping requirement in the front yard. The requested variance, in staff's opinion, meets the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposal represents appropriate development of the lands and modest intensification. The request is minor and is reflective of the surrounding context, where widened driveways are a regular occurrence. Staff are of the opinion that the impacts of the requested variance are minor and will not cause undue impacts on adjacent properties.

Conclusion

The Planning and Building Department has no objection to the application, as amended.

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

The Building Department is currently processing a building permit under file SEC UNIT 21-5436. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 2021/04/20 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner