

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-04	File(s): A289.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-12 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 a reduced size parking space on the subject property proposing a parking space size of 2.75m x 3.6m (approx. 9.0ft x 11.8ft) whereas By-law 0225-2007, as amended, requires a minimum parking space size of 2.75 x 5.6m (approx. 9.0ft x 18.4ft) in this instance.

Amendments

The variance, as requested should be amended as follows:

- 1) The applicant requests the Committee to approve a minor variance to allow a reduced size parking space on the subject property proposing a parking space size of 2.75m x 3.6m (approx. 9.0ft x 11.8ft) whereas By-law 0225-2007, as amended, requires a minimum parking space size of 2.75 x 5.6m (approx. 9.0ft x 18.4ft) in this instance.

In addition, the following variances should be added as shown on the Site Plan:

- 1) Maximum driveway width of 5.58m (18.31ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3 m (14.11ft) in this instance.
- 2) A minimum setback to hard surface landscaping in the rear yard of 0.45 m (1.48ft), whereas By-law 0225-2007, as amended, requires a minimum setback to hard surface landscaping in the rear yard of 0.61 m (2.00ft) in this instance.

Background

Property Address: 5610 Fudge Terrace

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 21-4853**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. The property contains a semi-detached dwelling with a frontage of +/- 6.8m and an area of +/-227.8m². The surrounding context is exclusively residential, with both semi-detached and detached built forms. The only vegetation of note are the trees within the municipal boulevard.

The applicant has applied for a second unit requiring a variance for a reduced parking space size.



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 Churchill Meadows Neighbourhood and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The applicant is proposing a second unit on the subject property and is requesting a variance to allow a reduced parking space size. The intent of this regulation of the by-law is to ensure that vehicles can park entirely within the designated space without obstructing aisles, roads, or sidewalks. Staff have concerns that the proposed parking space would be unable to suitably accommodate a vehicle and may lead to the obstruction of the sidewalk.

Furthermore staff note that Zoning has identified additional variances required based on the submitted drawings. Staff have concerns regarding the additional variances identified and believe they may not meet the four tests as set out in Section 45(1) of the *Planning Act*. Planning staff are unable to support the application as proposed.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department does not support the requested variance to widen the proposed driveway and creating a deficient parking space 2.75M x 3.6M in front of the existing porch and stairs. The proposed driveway extension will create conflict with the existing boulevard street tree and encroachment into the municipal boulevard. Due to the existing street light pole and boulevard tree, we do not support a curb cut or extension of the driveway to the street. Homes within this part of the subdivision were specifically designed to only accommodate two cars on each property.

Typically, in unique scenarios this department may consider a minimum 5.2M setback from the face of the property (garage/dwelling/front steps) to the municipal roadway, but under the proposed scenario/conditions we cannot support the request and recommend the application be refused.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file SEC UNIT 21-4835 SU. Based on review of the information currently available in this permit application, the variance, as requested should be amended as follows:

- 2) The applicant requests the Committee to approve a minor variance to allow a reduced size parking space on the subject property proposing a parking space size of 2.75m x 3.6m (approx. 9.0ft x 11.8ft) whereas By-law 0225-2007, as amended, requires a minimum parking space size of 2.75 x 5.6m (approx. 9.0ft x 18.4ft) in this instance.

In addition, the following variances should be added as shown on the Site Plan:

- 3) Maximum driveway width of 5.58m (18.31ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.3 m (14.11ft) in this instance.
- 4) A minimum setback to hard surface landscaping in the rear yard of 0.45 m (1.48ft), whereas By-law 0225-2007, as amended, requires a minimum setback to hard surface landscaping in the rear yard of 0.61 m (2.00ft) in this instance.

***It may be beneficial for the applicant to keep the driveway conditions as is and apply for a minor variance to allow 2 parking spots for a proposed Second Unit, whereas 3 is required (2 for existing dwelling + 1 for proposed Second Unit).

Please note that comments reflect those provided through the above permit application 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: Brandon Eidner, Zoning Examiner