

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A74.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 3:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with:

1. A driveway width of 5.92m (approx. 19.42ft) 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 second unit whereas By-law 0225-2007, as amended, requires 1 parking space for a second unit in addition to the required number of parking spaces for the dwelling in this instance.

Amendments

Parking staff have reviewed the application and note variance 2 should be amended as follows:

To allow 2 parking spaces on site and 1 parking space partially off-site for the existing semi-detached dwelling and second unit whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces on site in this instance.

Background

Property Address: 5099 Nestling Grove

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM2-18 - Residential

Other Applications: SEC UNIT 21-8595

Site and Area Context

The subject property is located north-west of the Winston Churchill Boulevard and Eglinton Avenue West intersection in the Churchill Meadows neighbourhood. It currently contains a 2-storey semi-detached dwelling with an attached single car garage. Limited landscaping and vegetation elements are present in the front yard. The property is reverse pie shaped, giving it a larger frontage than other properties in the surrounding area. The surrounding context is exclusively residential, consisting of a mix of detached, semi-detached and townhouse dwellings.

The applicant is proposing a second unit on the subject property requiring variances for driveway width and 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:

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

Variance 1 requests an increased driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of lands being soft landscaping. While the proposed driveway width would likely not be supported by staff on most lots in the surrounding area, staff note that the reverse pie shape of the lot gives it a larger frontage and more soft landscaping in the front yard than the average lot in the surrounding context. In this instance staff are satisfied that the proposed driveway is appropriate and maintains appropriate soft landscaping in the front yard.

Regarding variance 2, Parking staff have reviewed the request and note as follows:

Generally Staff is supportive of second units given proposed policies in Bill 108 and the City's Housing Strategy, assuming the necessary parking requirements can be reasonably accommodated. In accordance with Council Resolution 160-91, while the Applicant cannot accommodate three parking spaces within their front yard "proper", the property possess both a single car garage, and a contiguous combined driveway and municipal boulevard length long enough to house two vehicles parked in tandem. This results in two spaces being provided on the property and a third space being provided partially on the property/municipal boulevard. Therefore, Staff can support the amended variance as follows:

"... allow 2 parking spaces on site and 1 parking space partially off-site for the existing semi-detached dwelling and second unit whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces on site in this instance".

Planning staff are in agreement that the proposed driveway and boulevard area are able to appropriately accommodate the necessary parking for the proposal.

Given the above staff are of the opinion that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

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 21-8595. Based on review of the information currently available in this permit application, variance 2, as requested is correct.

We advise that variance 1 can't be confirmed at this time, as the drawings are different than what is shown in the Building Permit.

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