

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A124/20 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a driveway width of 5.20m (approx. 17.06ft); whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft), in this instance.

Background

Property Address: 3338 Stoney Crescent

Mississauga Official Plan

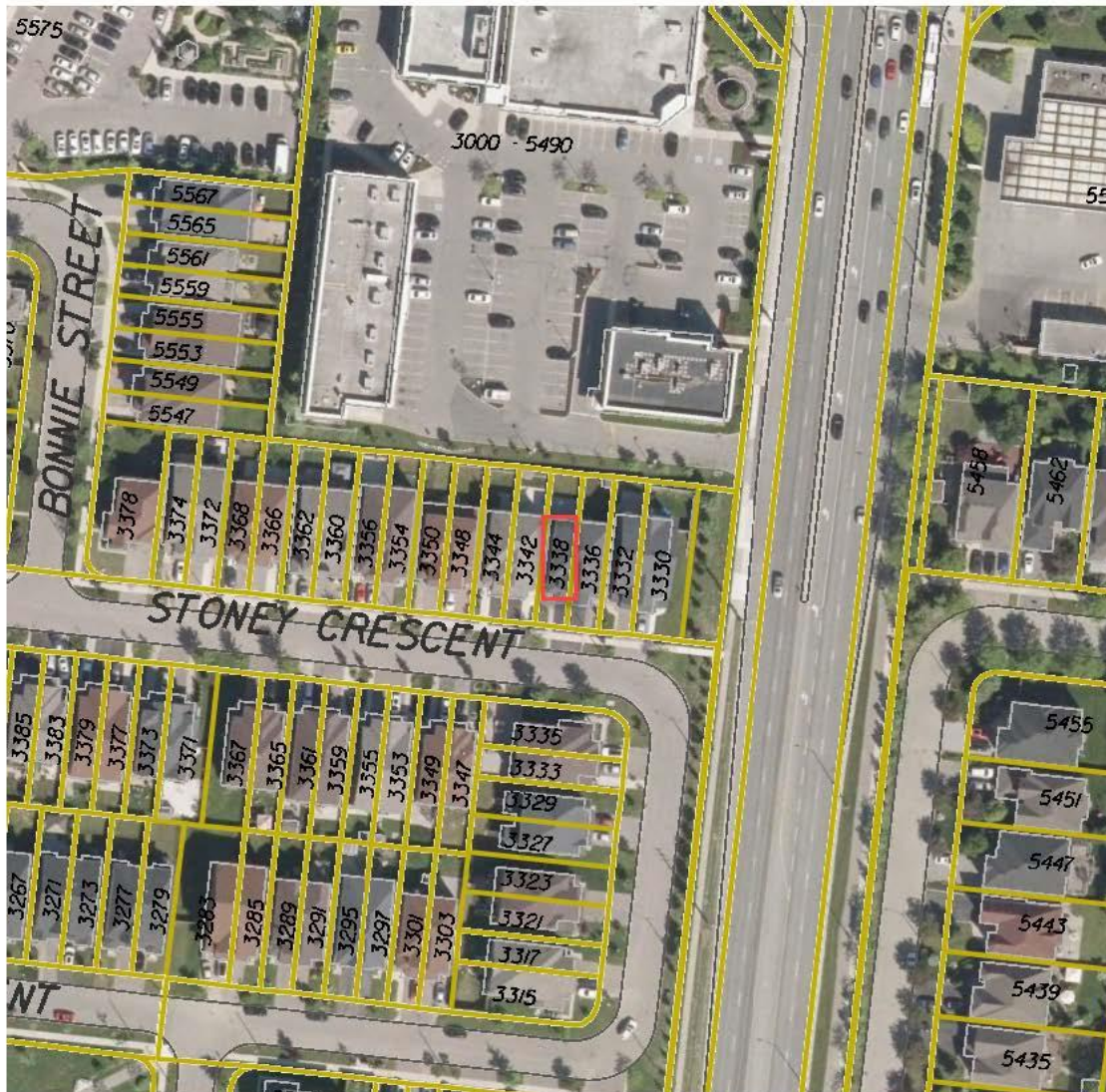
Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-48 (Residential)

Site and Area Context

The subject property is located south-west of the Britannia Road West and Winston Churchill Boulevard intersection and houses a semi-detached dwelling with a single-car garage. The immediate neighbourhood consists exclusively of semi-detached dwellings. The properties within the immediate area possess lot frontages of +/- 6.9m, with minimal vegetative elements located within their associative front yards. The subject property is an interior parcel, with a lot area of approximately 230m², and a lot frontage of 6.8m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided 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 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 site is situated within the Churchill Meadows Neighbourhood Character Area, and designated Residential Medium Density by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood, as evident by the existing curb-cuts, is that of a driveway matching the width of the existing single car garage (+/-3.5m), with the remainder of frontage set to serve as a soft-landscaped area. The proposal results in significantly reducing this soft-landscaped area in a manner not consistent with the original planned context of the subdivision. The proposal does not meet the purpose or general intent or purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned RM5-48 (Residential). Pursuant to Table 4.11.2.48.3 (RM5 Exception Zones), the maximum driveway width for a semi-detached dwelling is 4.3m; whereas, the Applicant is proposing 5.2m. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for the planned dwelling, with the remainder of lands being a combination of soft-landscaping and front yard amenity area. Staff note, the subject lands can suitably accommodate two tandem parking spaces (one upon the driveway and one within the garage) without requiring a variance. Further, while the RM5-48 zone does not contemplate a specific soft-landscaped area within the By-law; this vegetative buffer is nevertheless inherent by regulating a specific maximum driveway width cap. At 5.2m, the resultant front yard has been significantly decreased, with minimal front yard amenity area present as a result. The variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

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

The requested variance creates a significant amount of hardscaping on the property and results in the proposed driveway being the predominant feature of the front yard (76%). This matter is further exacerbated due to semi-detached structures not requiring driveways to be set back along the shared common lot line; essentially doubling a driveway's width from a streetscape

perspective. The variance, as requested, results in the undesirable development of the lands and whose impacts are not minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the requested variance does not meet criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 124/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-7533. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 2nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-011/20

Minor Variance Applications: A-118/20, A-119/20, A-121/20, A-122/20, A-123/20, A-124/20, A-125/20, A-126/20, A-127/20, A-128/20, A-129/20

Comments Prepared by: Tracy Tang, Junior Planner