

# City of Mississauga Department Comments

Date Finalized: 2022-11-30	File(s): A615.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-12-08 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to permit reduced parking dimensions in the garage proposing a parking dimension of 2.44m x 5.9m (approx. 8ft x 19.35ft) whereas By-law 0225-2007, as amended, requires a parking dimension of 3.0m x 6.0m (approx. 9.84ft x 19.68ft) in this instance.

## Background

**Property Address:** 1071 Wilmington Drive

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM5-3-Residential

**Other Applications:** BP 9ALT 22-3461

### Site and Area Context

The subject property is located north-west of the Eglinton Avenue West and Terry Fox Way intersection in the East Credit neighbourhood. It currently contains a two-storey townhouse dwelling with an attached garage. Limited landscaping and vegetative elements are present in

both the front and rear yards. The surrounding area context is primarily residential, consisting of a mix of townhouse dwellings on similarly sized lots and detached dwellings on larger lots. Commercial uses are located in proximity to the subject property along Eglinton Avenue West.

The applicant is proposing a staircase within the garage requiring a variance for a reduced parking space size within the garage.



## 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 East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan. This designation permits all forms of townhouse dwellings. Section 9 of the 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. No exterior alterations are proposed and therefore staff are satisfied that the character of the surrounding area and abutting properties will not be impacted.

The intent on requiring a minimum unobstructed area for parking within a garage is to ensure that the garage can accommodate the parking of even atypical vehicles entirely within the

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garage area. The proposed garage parking area would significantly limit the ability to park a motor vehicle fully within the garage. Furthermore the RM5-3 zoning designation requires an attached garage. Staff are therefore of the opinion that the proposal does not maintain the general intent and purpose of the zoning by-law and recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-3461. Based on review of the information currently available in this permit application, the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to permit reduced parking dimensions in the garage proposing a parking dimension of 2.44m x 5.9m (approx. 8ft x 19.35ft) whereas By-law 0225-2007, as amended, requires a parking dimension of 3.0m x 6.0m (approx. 9.84ft x 19.68ft) in this instance.

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

### **Appendix 3 – Region of Peel**

Servicing: Camila Marczuk (905) 791-7800 x8230

**Comments:**

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko, Junior Planner