

City of Mississauga Department Comments

Date Finalized: 2023-08-16	File(s): A277.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-08-24 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

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

1. A hammerhead driveway length of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead driveway length of 2.60m (approx. 8.53ft) in this instance; and,
2. A hammerhead driveway width of 4.14m (approx. 13.58ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 29 Premium Way

Mississauga Official Plan

Character Area: Downtown Hospital
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM5-52- Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Hurontario Street and Queen Elizabeth Way interchange. It is located along the curve of Premium Way and contains a three-storey townhouse dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context includes a mix of land uses and built forms on varying sized lots.

The applicant is proposing variances to permit the existing hammerhead driveway length and 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 located in the Downtown Hospital Character Area and is designated Residential Low Density II 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.

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

The applicant is proposing to maintain the existing driveway requiring a variances for a hammerhead driveway length and width. The intent of the hammerhead provisions are to permit a hammerhead large enough to allow for vehicles to turn around on the subject property, but not accommodate vehicular parking on the hammerhead. Staff note the existing hammerhead size corresponds with the by-law minimum parking space dimensions (2.6m x 5.2m). Staff is of the opinion that the existing hammerhead will enable the parking of motor vehicles parallel to and within view of the street. Further, staff note that townhouses in the immediate vicinity possesses a hammerhead configuration on the driveway. While hammerhead driveways are present in the area, the hammerhead driveway subject to this application is the largest in the area and represents a significant deviation from the established context. Staff are therefore of the opinion that the request does not maintain 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?

Staff are of the opinion the variance is not minor in nature and does not represent appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing driveway (hammerhead) and note that we have no concerns with the request.

Comments Prepared by: Joe Alava, T&W - Development Engineering



Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

29 Premium Way

Metrolinx is in receipt of the minor variance application for 29 Premium Way to permit an existing hammerhead driveway. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially within 60m of Metrolinx's Hurontario LRT.
- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the HuLRT will require approval and coordination with Metrolinx.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 - CVC

Although our online mapping indicates that the subject site at 29 Premium Way in Mississauga is regulated by CVC, we have had a chance to review and the subject property is not located within CVC's Regulated Area. As such, a CVC permit is not required for development on this property and we do not need to review and comment on the proposed Minor Variance application.

If you have any questions regarding the above, please let me know.

Comments Prepared by: Stuti Bhatt, Junior Planner