

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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| Date Finalized: 2020-11-11                | File(s): A54/20<br>Ward: 10 |
| To: Committee of Adjustment               |                             |
| From: Committee of Adjustment Coordinator | Meeting date:<br>2020-11-19 |

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the *Planning Act*.

## Application Details

The Applicant requests the Committee to approve a minor variance to allow a driveway widening, proposing a width of 8.82m (approx. 28.94ft); whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.50m (approx. 21.33ft), in this instance.

### Recommended Conditions and Terms

- 1) That the existing board fence is replaced with a wrought iron fence as noted in the CGE Transportation Consulting/Sight Distance Analysis Letter in accordance with the Site Plan provided (DWG No.A1.0REV No.1).
- 2) That the new driveway width be reduced to a maximum width of 2.6m.
- 3) That satisfactory arrangements be made for the existing 'No Parking Sign' be relocated to an appropriate area.

## Background

**Property Address:** 5495 Tenth Line West

### Mississauga Official Plan

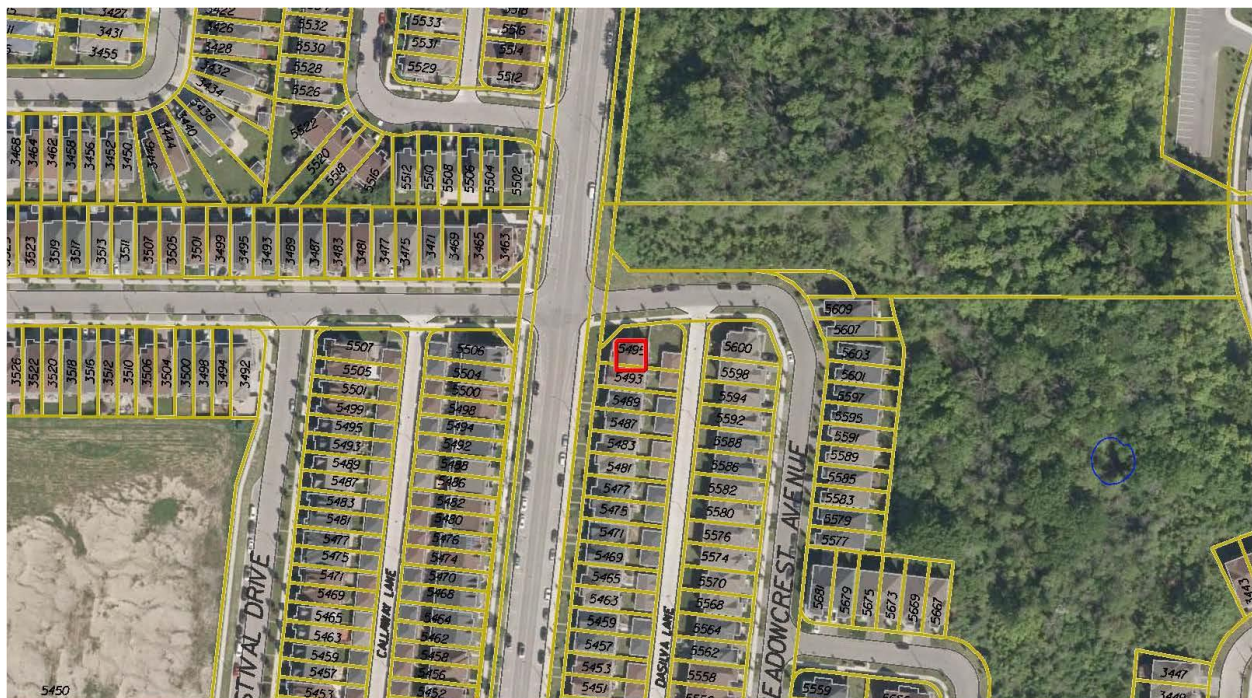
Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Medium Density

**Zoning By-law 0225-2007****Zoning:** RM2-56 (Residential)**Other Applications:**

None

**Site and Area Context**

The subject property is located south-east of the Tenth Line West and Thomas Street intersection, and currently houses a two-storey semi-detached dwelling, with a detached two-car garage, accessed by way of rear laneway. The immediate neighbourhood is primarily semi-detached dwellings of a shared 2000's architectural subdivision style; however townhome units are also present to the north along this portion of Tenth Line West. The properties within the immediate area possess lot frontages of +/-7.85m, with minimal mature vegetative elements in the front yards.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that 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 this minor variance request are as follows:

Planning Staff note, the 8.82m requested takes into account the width of the proposed asphalt pad (2.9m), as well as the trivial portion of hardscaping found in front of the detached garage, contiguous to the laneway. It is the opinion of Planning Staff that the requested variance is more a result of the technical manner in which the Zoning Department measures or regulates driveway width, than in purposely trying to circumvent the Zoning By-law.

Planning Staff note, a driveway is permitted as-of-right, with vehicular access always having been envisioned from the rear laneway. Planning Staff are unable to identify the creation of any undue or adverse conditions created, or subsequently made worse, as a result of the requested variance that are currently not already in existence. Planning Staff note, while access from the proposed parking area to the laneway will be somewhat hindered; such visibility concerns are directly resultant of the existing configuration of the lot, with the proposed asphalt pad / widened driveway not impinging conditions further.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application, as requested, raises no concerns of a planning nature.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

The applicant is requesting to construct a new parking space beside the existing garage which fronts onto Da Silva Lane which is a municipal laneway. We had previously indicated that there is currently a 1.8M Wood Privacy Fence which surrounds the property which would have to be modified to support a new access. There was also an existing no parking sign directly in front of the proposed access which would have to be relocated. This department had to ensure that sight visibility would not be impacted for any vehicles either exiting the proposed driveway or alternatively that there are no conflicts with any vehicles turning into Da Silva Lane from Meadowcrest Avenue.

Staff requested that an analysis be undertaken to ensure that the proposed new driveway could safely be accommodated. The applicant obtained the services of CGE Transportation Consulting and provided a Report/ Sight Distance Analysis Letter dated August 29, 2020. The Report/Sight Distance Analysis Letter proposes to remove the existing wooden fence around the backyard and replace it with an iron fence which would improve sight visibility distance at the corner of Meadowcrest Avenue and Da Silva Lane. The Site Plan submitted with the Report (DWG No. A1.0 REV No. 1) also makes reference to the relocation of the No Parking Sign.

In view of the above, and should Committee see merit in the applicant's request we would recommend the following conditions of approval:

- 4) That the existing board fence is replaced with a wrought iron fence as noted in the CGE Transportation Consulting/Sight Distance Analysis Letter in accordance with the Site Plan provided (DWG No.A1.0REV No.1).
- 5) That the new driveway width be reduced to a maximum width of 2.6m.
- 6) That satisfactory arrangements be made for the existing 'No Parking Sign' be relocated to an appropriate area.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

This Department notes that a Building Permit application is not required. In the absence of a Building Permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Sandra Morrison, Zoning Examiner

**Appendix 3 – Region of Peel Comments**

Regional Planning staff have reviewed the applications listed on the November 19<sup>th</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Deferred Applications:** DEF-A-54/20

**Minor Variance Applications:** A-358/20, A-373/20, A-374/20, A-377/20, A-378/20, A-382/20

Comments Prepared by: Diana Guida, Junior Planner