

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**  
**PLANNING REPORT**

**MEETING DATE:** Wednesday, November 30, 2022

**TO:** Committee of Adjustment

**FROM:** Jeffrey Ren, Planner

**SUBJECT:** **MINOR VARIANCE APPLICATION A-20-22**  
**Part of Lots 49, 50, and 70, Springfield Section, Plan 6262;**  
**Parts 1, 2, 6, & 9, and 7, 8, 10, & 13, Plan 27R-7240**  
**Almonte Ward, Municipality of Mississippi Mills**

**OWNER:** Josh West Management Inc. and Milrud Family Inc.

**APPLICANT:** Bridgette Alchawa, McIntosh Perry

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**RECOMMENDATION**

**THAT the Municipality of Mississippi Mills Committee of Adjustment approves the Minor Variance for the subject property, legally described as Part of Lots 49, 50, and 70, Springfield Section, Plan 6262; Parts 1, 2, 6, & 9, and 7, 8, 10, & 13, Plan 27R-7240, Almonte Ward, Municipality of Mississippi Mills, to permit tandem parking for Secondary Dwelling Units located in a semi-detached dwelling, subject to the following conditions:**

- 1. That the following requested Minor Variances to Zoning By-Law #11-83 are approved:**
  - To permit one parking space in tandem with principal dwelling parking space per each Secondary Dwelling Unit in a semi-detached dwelling, whereas Table 9.2 states that one parking space not in tandem with a principal dwelling unit parking space is required for each Secondary Dwelling Unit in a semi-detached dwelling;**
  - To permit a parking space located less than 6 metres away from a habitable room window of a unit for which the parking space is not reserved and a driveway located less than 3.5 metres away from a habitable room window of a unit for which the parking space is not reserved, whereas Section 9.3.7(d)(ii) states that parking space and driveways must be located a minimum of 6.0 m and 3.5 m respectively from a habitable room window of a unit for which the parking space is not reserved;**

- To permit tandem parking on a driveway where the parking space reserved for the principal dwelling unit located in the garage will be obstructed, whereas Section 9.3.9(a) requires a driveway entrance to and from required parking spaces by means of an unobstructed driveway.
2. That the Owner obtain all required building permits and approvals for the proposed development.
  3. That the Owner enter into a site plan agreement or development agreement with the Municipality, registered on the title of the property, acknowledging that the required parking space for the Secondary Dwelling Unit is being provided as tandem parking.

### **PURPOSE AND EFFECT**

The subject lands are zoned Residential Second Density, Special Exception 19 (R2-19). The applicants are seeking reliefs from Table 9.2, Section 9.3.7(d)(ii) and Section 9.3.9(a) in order to provide tandem parking (one behind another) to satisfy the required parking rates for Secondary Dwelling Units (SDUs).

The requested variance is outlined below.

**Table 1 – Requested Relief from Zoning By-law #11-83**

| <b>Section</b>       | <b>Zoning Provision</b>           | <b>By-law Requirement</b>   | <b>Requested</b>   |
|----------------------|-----------------------------------|---|--|
| Table 9.2            | Minimum Parking Space Rates       | For Secondary Dwelling Units:<br>1 parking space not in tandem with principal dwelling parking space  | For Secondary Dwelling Units:<br>1 parking space in tandem with principal dwelling parking space   |
| Section 9.3.7(d)(ii) | Provisions and Location of Spaces | Parking spaces and driveways located a minimum of 6.0 m and 3.5 m respectively from a habitable room window of a unit for which the parking space is not reserved | Parking spaces and driveways located less than 6.0 m and 3.5 m respectively from a habitable room window of a unit for which the parking space is not reserved |
| Section 9.3.9(a)     | Driveways                         | Requires a driveway entrance to and from required parking spaces by   | Driveway to the parking space for the principal dwelling unit will be  |

|  |  |                                   |  |
|--|--|-----------------------------------|--|
|  |  | means of an unobstructed driveway | obstructed by a parking space provided in tandem |
|--|--|-----------------------------------|--|

## **DESCRIPTION OF SUBJECT LANDS**

The subject property consists of two properties owned by the same owners and is located along the south side of Argyle Street. The property measures approximately 2,420 square metres in area and has approximately 76.3 metres of frontage along Argyle Street and 26.7 metres of frontage on King Street. The subject property is currently vacant with no municipal address. The subject property is surrounded by residential properties and vacant land on lands zoned Residential First Density (R1).

**Figure 1: Aerial Image of Subject Property**



## **PROPOSED DEVELOPMENT**

The proposed development is concurrently the subject of an ongoing Site Plan Control application; it consists of one detached dwelling and three pairs of semi-detached dwelling units for a total of seven dwelling units; Secondary Dwelling Units are proposed in the basements of each of the semi-detached dwellings. The subject property was previously subject to an approved Zoning By-law amendment to permit the semi-detached dwellings and an approved Site Plan Control application that did not include the basement Secondary Dwelling Units. Although the Site Plan Control application was approved, individual lots were not created through any associated severance processes. The subject application pertains to the semi-detached dwellings only. The proposed development complies with the required setbacks and built form provisions,

however, the addition of basement Secondary Dwelling Units necessitates reliefs for parking. For each semi-detached dwelling unit, an attached garage provides the required parking space for the principal dwelling unit; each semi-detached dwelling unit also features a 5 metre wide, 6.02 metre long driveway. Each Secondary Dwelling Unit require one parking space and the applicants are proposing to provide the required parking for the Secondary Dwelling Units on the driveway in a tandem parking setup in front of the garage.

The proposed development requires Site Plan Control approval and building permits; the applicant has submitted concurrent application for both.

## **SERVICING & INFRASTRUCTURE**

The property falls within the urban settlement boundary of Almonte Ward, and thus the lands are required to be serviced by municipal water and sanitary infrastructure. At this time there are no services within Argyle Street in front of the properties and as a result the developer will be required to install and reinstate the existing roadway to the satisfaction of the Municipality.

Access to the semi-detached dwellings will be from Argyle Street. Argyle Street features an 18-metre-wide right-of-way, however, the paved surface is significantly narrower and there may be some challenges to providing on-street parking.

## **COMMENTS FROM CIRCULATION OF THE APPLICATION**

### **Comments From Internal Circulation**

No comments or concerns were received from internal departments at the time of the writing of this report.

### **Comments From External Agencies**

No comments or concerns were received from external agencies at the time of the writing of this report.

### **Comments From the Public**

No comments or concerns were received from the public at the time of the writing of this report.

## **EVALUATION**

### **Four Tests**

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. In properly evaluating

such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Staff comments concerning the application of the four (4) tests to this Minor Variance request are as follows:

**1. Does the proposal maintain the intent of the Official Plan?**

The subject property is designated 'Residential' as per the Municipality's Community Official Plan (COP). The overall proposed development maintains conformity with the relevant COP policies for the 'Residential' designation (Section 3.6). Section 3.6.9 of the COP speaks to the policies affecting Secondary Dwelling Units; the policies state that adequate off-street parking is a criterion that needs to be satisfied when evaluating Secondary Dwelling Units. Staff are satisfied that adequate off-street parking can be provided for the proposed development if tandem parking is permitted for the proposed development as the COP's policies do not preclude the provisioning of tandem parking for Secondary Dwelling Units.

Staff are of the opinion that the subject minor variance maintains the intent of the COP.

**2. Does the proposal maintain the intent of the Zoning By-law?**

The subject lands are zoned Residential Second Density, Special Exception 19 (R2-19) as per Comprehensive Zoning By-law #11-83. The applicants are seeking reliefs from Table 9.2, Section 9.3.7(d)(ii) and Section 9.3.9(a) in order to provide tandem parking (one behind another) to satisfy the required parking rates for Secondary Dwelling Units (SDUs). Table 9.2 requires one parking space per secondary dwelling unit on a lot containing a single detached dwelling or semi-detached dwelling; this parking space cannot be located in tandem to the required principal dwelling unit parking rate. However, the Zoning By-law does envision tandem parking for all other forms of housing such as duplex dwellings and townhomes. Staff are of the opinion that there is no functional difference on off-street parking between allowing for tandem parking for Secondary Dwelling Units in a development with semi-detached dwellings and allowing tandem parking for Secondary Dwelling Units in other denser forms of housing. Section 9.3.9(a) requires an unobstructed driveway between a driveway entrance and a required parking space; relief for this provision is required to allow for tandem parking. Section 9.3.7(d)(ii) stipulates that parking spaces and driveways should be located a minimum of 6.0 metre and 3.5 metres respectively from a habitable room window of a unit for which the parking space is not reserved. In the case of the proposed development, the parking space for the Secondary Dwelling Unit in the driveway would be located approximately 3.5 metres away from a window of the principal dwelling unit and the shared driveway would be located approximately 2 metres away from a window of the principal dwelling unit. Staff are of the opinion while the proposed parking space is technically closer than required, the singular ownership of both units means that the general intent of the provision is largely being met. The proposed development conforms to all other applicable provisions of the Zoning By-law.

Staff are of the opinion that the variances generally maintains the intent of the Zoning By-law.

**3. Is the proposal desirable for the appropriate development of the lands in question?**

The proposed development is considered appropriate development of the subject property since the new Secondary Dwelling Unit would add to the local housing stock and represents a logical form of development on-site. Although there may be some impacts on on-street parking associated with intensification, the provisioning of one space per unit, principal or secondary, is desirable and appropriate.

Encouraging Secondary Dwelling Units is important because they:

- (1) Provide homeowners with alternative means of earning additional income to help meet the costs of home ownership;
- (2) Support changes in demographics through housing options for immediate and extended families; and,
- (3) Maximize densities to support and enhance local businesses, labour markets, and the efficient use of infrastructure.

To further demonstrate the appropriateness of the development proposal, the Owner/Applicant will be responsible for:

- Obtaining all required Site Plan Control approvals and building permits; and,
- Enter into a site plan agreement or development agreement with the Municipality, registered on the title of the property, acknowledging that the required parking space for the Secondary Dwelling Unit is being provided as tandem parking.

Staff are of the opinion that the proposed development is desirable for the appropriate development of the lands in question.

**4. Is the proposal minor?**

The variances requested represent a modest adjustment to the required distances between a homeowner and tenant's potential shared space and a homeowner's own habitable room window; it also represents a minor deviation to a provision whose intent is generally being satisfied. Analysis of the proposal has concluded that the proposal is unlikely to present adverse impacts on the adjacent properties or visual impacts on the streetscape.

As such, Staff consider the qualitative value of the requested reliefs to be minor in nature.

## **CONCLUSION**

Overall, Staff supports the Minor Variance application. The variances would allow the owners to maximize the use of their property, providing new dwelling units on the property with no foreseeable impacts to the surrounding lands.

Therefore, Staff are of the opinion that Minor Variance Application A-20-22 meets the four tests for evaluating a minor variance as established under the *Act*. Planning Staff therefore recommend that the Minor Variance be granted, provided the Committee is satisfied that any issues raised at the public hearing do not require additional Staff evaluation and comment, the submission of additional information, or the application of conditions contained in this report.

All of which is respectfully submitted by,

Reviewed by,



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Jeffrey Ren  
Planner



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Melanie Knight MCIP, RPP  
Senior Planner

## **ATTACHMENTS:**

1. SCHEDULE A – Site Plan and Elevations

Architectural floor plan of a three-story building. The plan shows a symmetrical layout with a central corridor and three main wings. Each wing contains multiple rooms, including offices, a conference room, and a reception area. The plan is detailed with dimensions, room numbers, and furniture placement. A north arrow is located in the bottom right corner.



