

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-21	File(s): A157.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-29 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the Applicant the opportunity to submit the requested information.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 358.23m² (approx. 3855.96ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;
2. A lot coverage of 32.28% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.96m (approx. 29.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.62m (approx. 21.72ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. A below grade accessory structure with an area of 35.68m² (approx. 384.06ft²) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area 20.00m² (approx. 215.28ft²) in this instance;
6. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance;
7. A detached garage with a height of 5.00m (approx. 16.40ft) to the highest ridge from average grade whereas By-law 0225-2007, as amended, permits a maximum height of 4.60m (approx. 15.09ft) to the highest ridge from average grade in this instance; and
8. A detached garage with a height of eaves is 3.47m (approx. 11.38ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves for a detached garage of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 6985 Second Line West

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

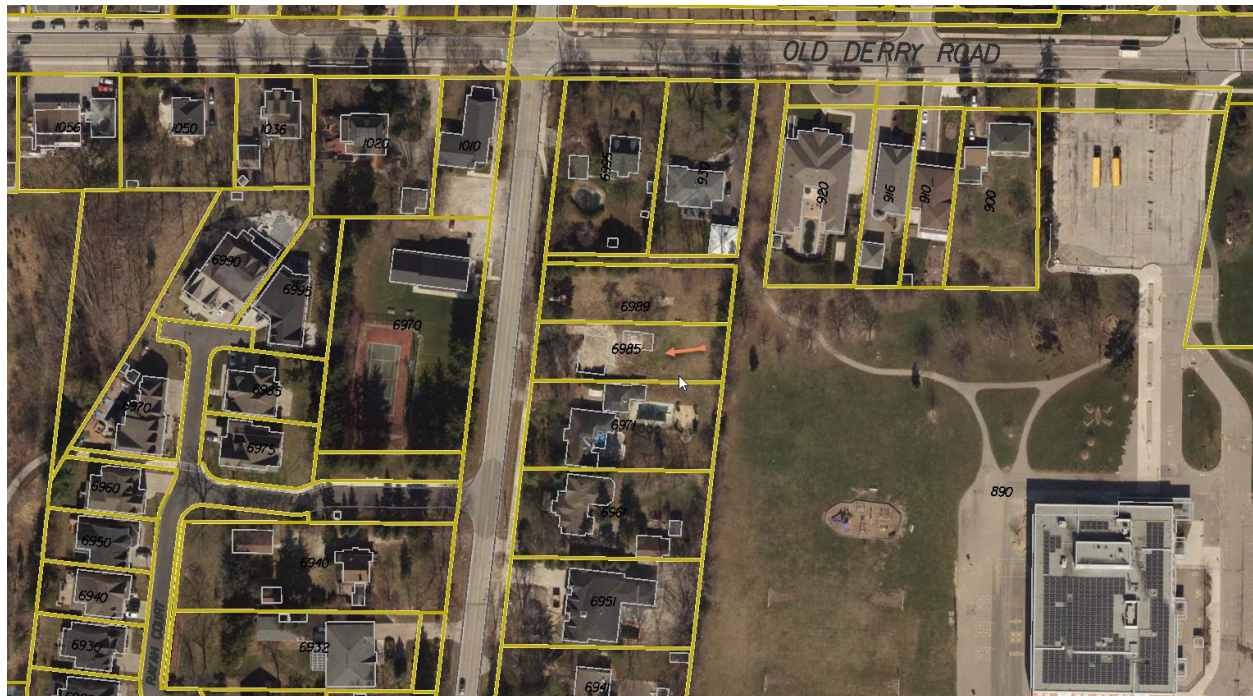
Zoning: R1-32 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Second Line W. and Old Derry Rd intersection. It is an interior parcel with a lot area of +/- 1,299.48m² and a lot frontage of +/- 19.94m. The property is currently vacant with mature vegetation scattered throughout the lot. Contextually, the area is comprised primarily of two-storey detached dwellings with lot frontages +/-25.0m with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling that requires variances for gross floor area, driveway width, and height of the dwelling and 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

Staff comments concerning the application are as follows:

In addition to the minor variance application, the Development and Design Department is currently processing a Site Plan application under file SP 21-2. Based on the review of this application and the proposed minor variance, Staff note that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required. At this time Staff are unsure if the proposed dimensions and measurements have been calculated correctly and whether certain variances are needed and/or required. As such, Planning Staff are unable to determine the accuracy of the requested

variances and whether the application meets the criteria established by Section 45 of the Planning Act.

Planning Staff echo the Building Division's and Transportation and Works' comments, and recommend that the application be deferred in order for the applicant to address the discrepancies that exist in all of the applications (the proposed site plan and minor variance) to ensure all variances are being addressed.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the application should be deferred to allow the applicant the opportunity to submit the requested information.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The City is currently processing a Site Plan Application for this property under File SPI 21-02. Site Plan Dwg No: A01.01 (rev date 08/27/2020) submitted for review under the Site Plan application differs from the Site Plan Dwg No A01.01 submitted with this request. The plan submitted under the Site Plan Application depicts the proposed driveway extending almost to the rear property line where the access to the garage is from the rear, whereas the plan submitted to the Committee depicts the access to the garage being from the side. The configuration of the driveway in the area of the garage is also different.

In view of the above we would request that this application be deferred until the applicant has re-submitted the proposal through the Site Plan Process for review and then resubmit similar plans to the Committee depicting the required variances.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-2. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Alana Zheng, Zoning Examiner

Appendix 4 – Heritage

This property is adjacent to the Meadowvale Heritage Conservation District and is therefore subject to the provisions outlined in the Meadowvale Village section of Mississauga's Official Plan. Heritage Planning is opposed to these variances based on clause 16.17.2.12 which states that "Standards for street layout, parking and loading spaces, landscaping, commons, building height and location, size and dwelling unit design, including dwelling unit composition, form, massing, setbacks, and spatial relationship with adjacent buildings, site access, lighting, signage, and screening will meet the requirements of the Zoning By-law".

Appendix 5 – Region of Peel Comments**Minor Variance Applications: A-147/21 & A-148/21**

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Core Areas - Woodland, Core Areas - Valley Corridor, and Core Areas – Environmentally Significant Areas of the Greenlands System in Peel under Policy 2.3.2.

A portion of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner