

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): A210.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-03 3:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition and garage reconstruction on the subject property proposing:

1. A driveway width of 6.58m (approx. 21.59ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A garage area of 79.92sq.m (approx. 860.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
3. An exterior side yard of 5.37m (approx. 17.62ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance;
4. A rear yard of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 3.0m (approx. 9.84ft) in this instance;
5. A dwelling unit depth of 24.28m (approx. 79.66ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
6. A garage projection of 4.36m (approx. 14.30ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance; and
7. An area of attachment for a garage of 0.00mx0.00m whereas By-law 0225-2007, as amended, requires a minimum area of attachment for a garage of 5.00mx2.00m (approx. 16.40ftx6.56ft) in this instance.

Background

Property Address: 1670 Springwell Avenue

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications

Pre-Application: 21-5331

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of Erin Mills Parkway and South Sheridan Way. The neighbourhood is entirely residential, consisting primarily of one storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with a detached garage in the exterior side yard.

The applicant is proposing a new detached garage in the exterior side yard, requiring variances related to driveway width, garage area, dwelling depth, exterior side and rear yard setback, garage projection and garage attachment.



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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The new garage generally maintains the footprint of the existing garage with minor encroachments around the perimeter of the existing garage. The proposed variances do not significantly alter the context of the neighbourhood and do not pose a significant impact to the streetscape from what currently exists. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #4 proposes a rear yard of 0.60 m whereas a maximum setback of 3 m is required to the dwelling. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. In this instance, the proposed setback is measured to the narrowest point minimizing the impact to the neighbouring property. Additionally, the property to the north also contains a detached garage with a similar deficiency, reducing the overall massing impact of the new garage. Due to the design of the dwelling and lot, the amenity space is limited to the westerly portion of the rear yard which represents the existing condition. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes a dwelling depth of 24.28 m whereas a maximum of 20 m is permitted. The intent of the by-law is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, the dwelling maintains a depth of approximately 15 m. The increased depth is due to a below grade attachment from the dwelling to the detached garage. As the increased depth is below grade, there is no impact above grade regarding a continuous wall that would increase the massing of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #6 proposes a garage projection of 4.36 m whereas 0 m is permitted. The intent of the zoning by-law is to maintain a consistent streetscape while ensuring the garage is not the dominant feature of the dwelling. The existing detached garage currently has a projection of approximately 3.60 m. The additional projection of 0.76 m does not significantly alter the streetscape character and is located in the exterior side yard which minimizes the impact of the increased projection. Furthermore, corner lots within the immediate area tend to have deficient exterior side yard setbacks which brings the building massing closer to the street. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances represent minor deviations from the zoning by-law and do not pose a negative impact to the established character of the neighbourhood from what currently exists. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature, in this instance.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed detached garage maintains the existing character of the surrounding neighbourhood and does not negatively alter the existing streetscape. The proposed garage contains a below grade connection to the existing dwelling which accounts for the increased dwelling depth. The rear yard is measured to the narrowest point of the detached garage which does not continue throughout the entire length of the garage and is similar to an existing deficiency

of the adjacent detached garage to the north. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department have no objections to the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Site Plan/Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21 - 5331. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner