

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A235.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00 PM

## Consolidated Recommendation

The City has no objection to variances #1, #2 and #3, however, recommends that the application be deferred to permit the Applicant the opportunity to redesign the driveway.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 41.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback from a side lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law as amended, requires a minimum setback from a side lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and
3. A setback from a rear lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law as amended, requires a minimum setback from a rear lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 882 Bancroft Drive

### Mississauga Official Plan

Character Area: East Credit NHD  
Designation: Residential Low Density II

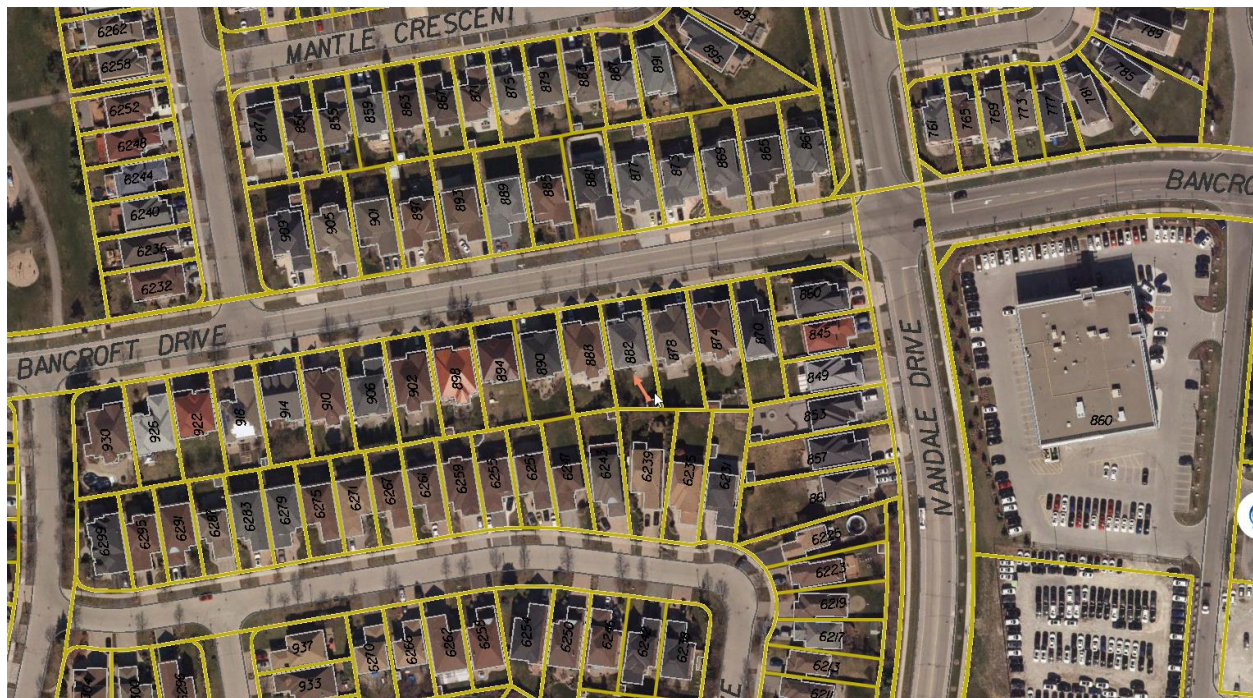
### Zoning By-law 0225-2007

**Zoning:** R3-15 - Residential

**Other Applications:** PREAPP 21-5077**Site and Area Context**

The subject property is located east of the Mavis Road and Bancroft Drive intersection. The property is an interior parcel with a lot area of +/- 568.42m<sup>2</sup> and a lot frontage of +/- 15.011m. Currently the property houses a two-storey, detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of two-storey detached dwellings possessing lot frontages of +/- 14.6m with mature vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing an addition to the existing dwelling requiring variances for side and rear lot line setbacks and lot coverage.

**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 site is located within the East Credit Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings and duplex dwellings. 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. The existing residential dwelling is permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment can impact the neighbourhood streetscape and neighbouring properties by disrespecting the neighbourhood's existing character and massing. Staff is of the opinion that the proposed addition is minor and does not represent the overdevelopment of the lot. Furthermore, with the addition only being visible from the rear yard, the proposed addition will have no impact on the streetscape.

The general intent of the yard setbacks is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties and ensuring that access to the rear yard ultimately remains unencumbered. Staff is of the opinion that the existing setbacks of 0.30m provide an adequate buffer between the shed and primary structures on adjoining properties. Furthermore, the shed does not inhibit access to the rear yard. Rear yard access is maintained from the east side of the front yard.

Staff are of the opinion that variances #1, #2 and #3 maintain the general intent and purpose of the zoning by-law.

Planning Staff note that the existing driveway appears to have been widened. Additional variances may be required for the existing widened driveway. It is important to note that in general staff do not support these additional variances. It is recommended that the application be deferred to allow the applicant time to confirm if additional variances are required and to work with staff on a redesign of the existing driveway.

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

The proposed addition will not impact the existing streetscape or represent overdevelopment of the lot. An adequate buffer between the shed and primary structures on adjoining properties is maintained. Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature.

**Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, 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 construction of an addition will be addressed through the Building Permit process.

With regards to the existing shed we have no drainage related concerns. This property has a rear to front drainage pattern and we note from our site inspection that the existing and previously approved drainage pattern has not been impacted.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department has processed a Preliminary Zoning Review under file PREAPP 21-5077. 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: Brandon Eidner, Zoning Examiner

## **Appendix 5 – Region of Peel Comments**

City Department and Agency Comments	File:A235.21	2021/06/16	7
-------------------------------------	--------------	------------	---

---

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner