

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A275.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house and accessory structure on the subject property proposing:

1. Two garages whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;
2. A pedestrian entrance to facilitate a second unit facing a street, whereas By-law 0225-2007, as amended, does not allow a pedestrian entrance to facilitate a second unit to face a street in this instance;
3. A garage area of 277.60sq.m (approx. 2988.06sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
4. An accessory structure floor area of 147.00sq.m (approx. 1582.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
5. A building height of an accessory structure of 5.30m (approx. 17.39ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance; and
6. A driveway width of 24.77m (approx. 81.27ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

Amendments

The Building Department is currently processing a SPI permit under file SPI 20-139. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. Two(2) attached garages and one(1) carport whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;

The accessory structure height, variance comment #5: The required information for height of the accessory structure (cabana) from EG has not been provided based on latest zoning review on 2021-May-05, the height of the Cabana verification hold for the deck's respective established grade confirmation.

Recommended Conditions and Terms

Staff recommend that the following condition be imposed:

Construction related to this variance shall be in general conformance with the Site Plan approved by the Committee.

Background

Property Address: 2170 Gordon Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)
Designation: Residential Low Density I

Zoning By-law 0225-2007

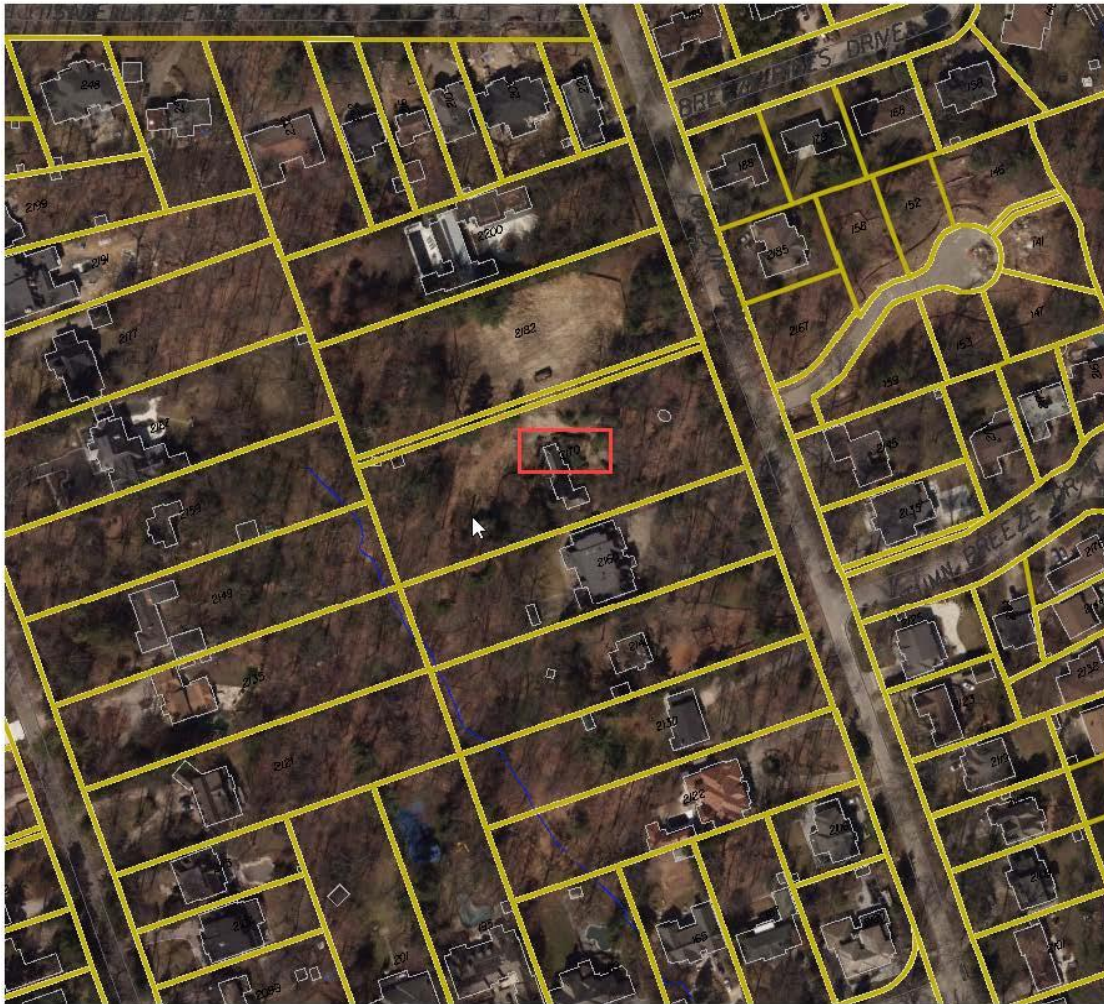
Zoning: R1-6 - Residential

Other Applications: SPI 20-139

Site and Area Context

The subject property is located south-west of the Queensway West and Hurontario Street intersection in the Gordon Woods community. The property has a frontage of +/- 49.48m and a lot area of +/- 7,050m². The surrounding neighbourhood exclusively contains detached homes on varying (but typically very generous) lot sizes. The subject property is one of the largest lots on the street and contains significant mature vegetation.

The applicant is proposing to construct a new detached dwelling requiring variances related to two garages, a secondary unit, the driveway and an accessory structure.



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 located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in the Mississauga Official Plan (MOP). The MOP permits only detached dwellings in this area, and the site is also subject to the provisions of Special Site 4. 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. Special Site 4 includes policies that maintain generous yards, protecting and enhancing natural features and preserving high quality trees. Upon review of the application staff are of the opinion that the proposal is compatible with the provisions of the Official Plan and that the general intent and purpose of the plan is maintained.

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

Variances #1 & 3 relate to the two garages and a car port in the proposal, as well as the combined size of the garages, which exceeds the permissions provided in the by-law. The intent in restricting the overall number and individual size of an attached garage is to ensure that the detached dwelling remains residential in nature, keeping the majority of the structure's ground floor area attributed to livable space. Additionally, this portion of the By-law serves to minimize the visual impact resulting from the multiple or excessive garage faces from a streetscape perspective. In this instance the second (and much larger) garage is well hidden behind the dwelling's façade, limiting its impact on the streetscape. The combined width of the front garage and carport gives the appearance of a three car garage, which is permitted and appropriate for a lot of this size. Furthermore, given the size of the lot, the garage size can be suitably accommodated without dominating the use of the first floor.

Variance #2 proposes an entrance to a secondary unit facing a street. The proposed door is located near the second garage, screened by the front garage and carport. The proposed entrance recessed from the main wall of the house and would not be visible from the street.

Variances #4 & 5 are for the proposed accessory structure in the rear of the property. The intent of the zoning by-law's accessory structure provisions is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring properties. In this instance the proposed structure represents approximately 2% of the total lot area and is clearly accessory in nature. Furthermore it is setback well beyond the required minimum setback and is well screened from neighbouring properties by both existing and proposed landscaping.

Variance #6 is a request for an increased driveway width. The intent of the driveway width regulation is to ensure that there is sufficient soft landscaping and amenity area in the front yard while ensuring the required parking for the residence can be provided. The proposed driveway width does not represent the width for the entire driveway, but only a small section in front of the dwelling. Furthermore the applicant exceeds the minimum requirement for soft landscaping in the front yard. The proposed width would not impact the streetscape as there is significant mature vegetation screening the property from the road, and the proposed driveway width narrows from 24.77m at the dwelling to only 6.43m at the street. This type of driveway is not out of character for lots of this size in the area.

It is therefore the opinion of staff that the variances requested maintain the general intent and purpose of the Zoning By-law.

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

The request as proposed represents appropriate development of the lands with a dwelling that is well designed for the lot. It is the opinion of staff that the proposal presents no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances, both individually and combined, are minor in this instance.

Conclusion

The Planning and Building Department has no objections to the application, as amended.

Comments Prepared by: Alexander Davies, 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 dwelling and accessory structure are being addressed through the Site Plan Application process, File SPI 20-139.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file SPI 20-139. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. Two(2) attached garages and one(1) carport whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;

The accessory structure height, variance comment #5: The required information for height of the accessory structure (cabana) from EG has not been provided based on latest zoning review on 2021-May-05, the height of the Cabana verification hold for the deck's respective established grade confirmation.

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: Sherri Takaloo – Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

We have no comments or objections.