

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-04	File(s): A274.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to variances 1 to 4, however recommends the additional variance for lot coverage be refused.

Application Details

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

1. A side yard (northerly) measured to the eaves of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
2. A side yard (southerly) measured to the eaves of 0.89m (approx. 2.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
3. A side yard measured to hard surface of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to hard surface of 0.60m (approx. 1.96ft) in this instance;
4. A garage projection of 2.43m (approx. 7.97ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 2.00m (approx. 6.56ft) in this instance; and
5. A rear deck above an accessory structure whereas By-law 0225-2007, as amended, does not permit a rear deck above and accessory structure in this instance.

Amendments

The following variance is required:

A lot coverage of 39.85% (237.85m²), whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (179.04m²) of the lot area in this instance.

The most recent building permit plans depict that the basement level storage room has internal access from the dwelling, therefore variance 5 is no longer required.

Zoning staff cannot verify the accuracy of variance 3 at this time.

Background

Property Address: 7488 McKechnie Court

Mississauga Official Plan

Character Area: Malton Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: BP 9NEW 21-5370

Site and Area Context

The subject property is located in the Malton Neighbourhood Character Area, near Goreway Drive and Morningstar Drive. Currently the property contains a single storey detached dwelling that backs onto Woodgreen Park. McKechnie Court contains exclusively detached dwellings, however semi-detached and apartment dwellings are present within the broader area context. Vegetation is limited on the subject property as well as on surrounding properties.

The applicant is proposing to construct a new dwelling on the property requiring variances for setbacks to eaves and hard surfaces, garage projection and a rear deck.



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*.

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. The applicant is proposing to build a new dwelling requiring variances in addition to those previously approved under file A140/18. Planning staff have reviewed variances 1, 2, 3 & 4, and are of the opinion that these variances are appropriate to be handled through the minor variance process and that they raise no concerns of a planning nature. The applicant has confirmed variance 5 is no longer required.

Zoning staff have noted the requirement for an additional variance related to lot coverage. While a lot coverage variance was included in the original application staff were unable to support it at that time and the request identified for this application represents an additional increase in coverage of 0.72% of the lot area. Staff continue to be of the opinion that the proposed coverage does not maintain the intent of the zoning by-law or the Malton Infill Housing Study and is not minor in nature.

Conclusion

The Planning & Building Department has no objections to variances 1-4, however recommends the additional variance for lot coverage be refused.

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 will be addressed through the Building Permit Application process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9NEW 21-5370. From a review of this application it appears that variances 1, 2 & 4 are correct. Additionally, the following variance is required:

A lot coverage of 39.85% (237.85m²), whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (179.04m²) of the lot area in this instance.

More information has been requested in order to verify variance 3 and with respect to the proposed basement entrance stairwell.

The most recent building permit plans depict that the basement level storage room has internal access from the dwelling, therefore variance 5 is no longer required.

Our comments are based on the plans received by Zoning staff on 2021/6/15 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Woodgreen Park (P-063).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca

Comments Prepared by: Jim Greenfield, Park Planner