

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-04	File(s): A304.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-12 1:00:00 PM

Consolidated Recommendation

The City has no objection to variances #1, #2, 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 front yard measured to a second floor of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a second floor of 6.00m (approx. 19.69ft) in this instance; and
2. Two kitchen whereas By-law 0225-2007, as amended, permit a maximum of one kitchen in this instance.

Background

Property Address: 6 Wesley Crescent

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

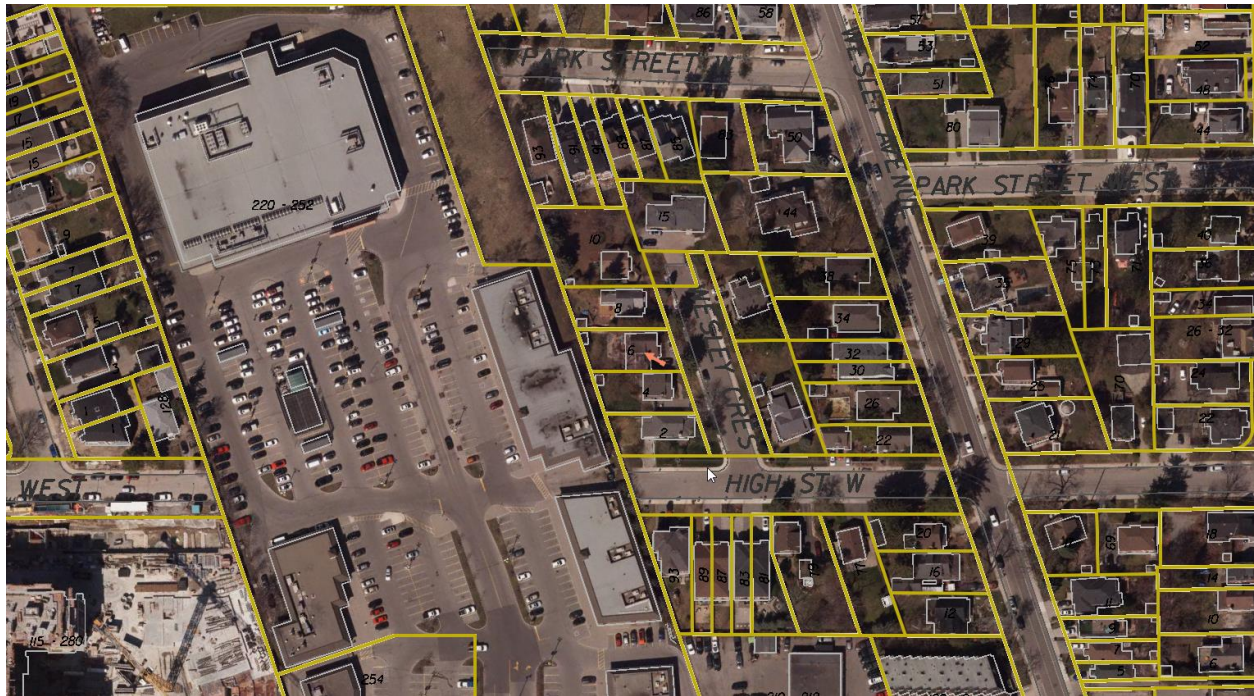
Zoning: RM7-5 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, northwest of the Mississauga Road and Lakeshore Road West intersection. The immediate neighbourhood is an eclectic mix of residential housing consisting of newer two storey semi-detached dwellings and older two detached dwellings with mature vegetation in the front yards. The subject property contains an existing two storey dwelling with mature vegetation in both the front and rear yards.

The applicant is proposing to construct an addition onto the existing house requiring variances related to the front yard and an additional kitchen.



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 and triplex 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 proposed addition respects the designated land use and maintains the general intent and purpose of the MOP.

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

Variance #1 as requested pertains to a deficient front yard setback:

The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The new second storey addition will be constructed on the existing foundation and as a result will not pose any further impact from what exists today. The front yard setback is generally in line with the neighbouring dwellings, presenting a consistent streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 as requested pertains to a second kitchen:

The intent of limiting the number of kitchens is to regulate the number of additional dwelling units in a dwelling. Staff have no concerns with the additional kitchen and no additional units are being proposed. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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?

Staff find that any potential impact from the proposed decrease to the front yard and second kitchen negligible, however Staff recommend the application be deferred in order for the applicant to redesign the proposed driveway.

Conclusion

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

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 proposed addition will be addressed through the future 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 21-6072. 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