

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A314.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variance requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing a floor area of 35.75sq.m (approx. 384.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

Background

Property Address: 24 John Street South

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-1 - Residential

Other Applications:

SPI 20-144 W1 and BP 21-5217

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, southeast of Mississauga Road and Lakeshore Road West. The immediate area is entirely residential, consisting of a 5 storey apartment, and older one and two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with landscape elements in the front yard.

The applicant is proposing a detached garage requiring a variance related to floor area.



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 Port Credit Neighbourhood (West) Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I 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. Detached garages are common in the immediate neighbourhood; 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 applicant requests the Committee to approve a minor variance to allow the construction of a detached garage with a proposed floor area of 35.75 m², when a maximum floor area of 30.00 m² is permitted. The intent of the zoning by-law is to ensure that a detached garage is sufficiently setback from neighbouring lots and would not create a negative impact regarding drainage. The proposed floor area is a minor deviation from what is permitted in the zoning by-law and is proportional to the lot and dwelling. The proposal is also consistent with detached garages in the immediate area and will not be an overdevelopment of the property, as the site maintains the required setbacks, height, and would not create a negative impact regarding drainage.

Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed detached garage is significantly setback from the street and maintains the required height and setbacks contained in the zoning by-law. The proposal is also consistent with detached garages in the immediate area. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Departments have no objection to the variance 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 proposed detached garage are being addressed through the Site Plan Application process, File SPI-20/144.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Daniel Grdasic, Planning Associate