

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-18	File(s): A157.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

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

1. A gross floor area of 334.76m² (approx. 3603.44ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;
2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.

Amendments

The Building Department is currently processing a building permit under file SPI 21-2. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area of 338.14m² (approx. 3639.71ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;

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2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.
6. A setback measured to window well of 11.07m (approx. 36.32ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to window well of 11.39m (approx. 37.37ft) in this instance;
7. Two walkways attached to driveway whereas By-law 0225-2007, as amended, permits one walkway on each side of a driveway.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 6985 Second Line West

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

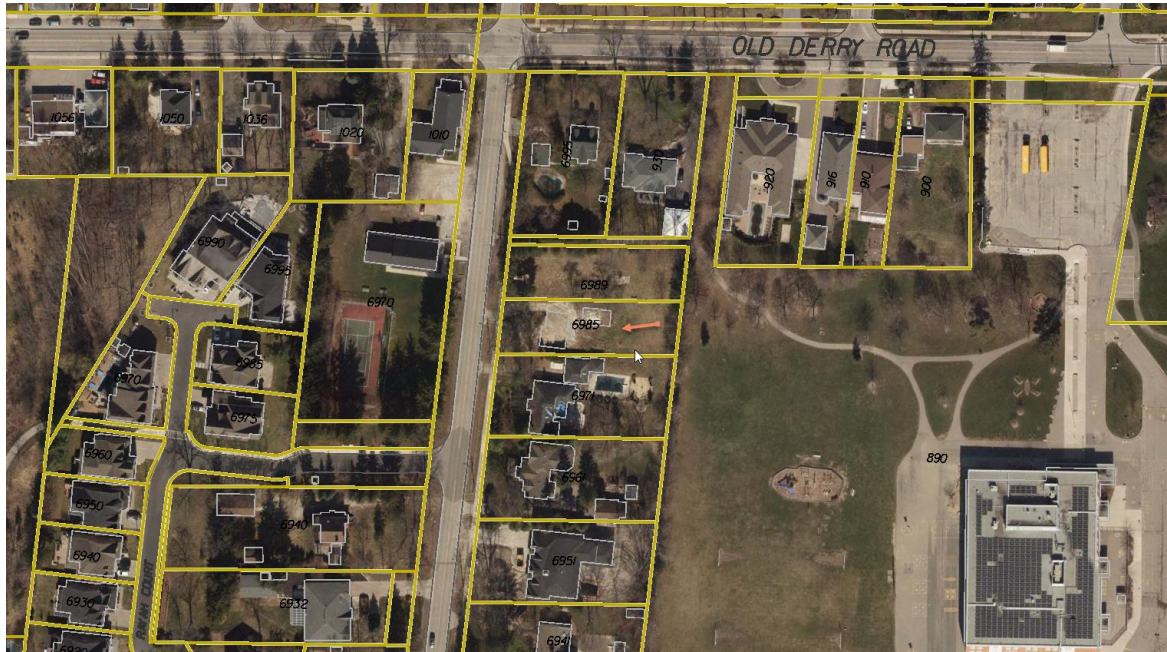
Zoning: R1-32 - Residential

Other Applications: SPI 21-2

Site and Area Context

The subject property is located south-west of the Second Line West and Old Derry Road intersection. It has a lot area of +/- 1,299.48m² and a lot frontage of +/- 19.94m. The property is currently vacant with mature vegetation scattered throughout the lot. The surrounding area is comprised primarily of two-storey detached dwellings with lot frontages of +/- 25.0m with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, driveway width, and height of the dwelling and garage.



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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation only permits detached 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 detached dwelling respects the designated and surrounding land use and maintains the general intent and purpose of the Official Plan.

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

Variances 1 and 2 request increases in the gross floor area and lot coverage. The intent of these provisions in the by-law is to prevent overdevelopment of the lot and maintain compatibility between existing dwellings, new dwellings, and the planned character of the neighbourhood. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. It is appropriately sized and situated on the subject property.

Variance 3 is related to the height of the structure. The intent of the height provisions in the by-law are to lessen the visual massing of the dwelling and keep the dwelling within a human scale. Staff note that the Average Grade, from which the height of the dwelling is measured, is 0.39m below the Established Grade of the dwelling. This reduces the impact of the height on the streetscape and abutting properties as the dwelling will not appear to be as tall as the request in the variance. Furthermore the height is measured to the peak of the sloped roof, reducing the overall massing on the property when compared to a flat roof structure.

Variance number 4 requests an increased driveway width. Maximum driveway width provisions are to ensure that the driveway is large enough to accommodate the required parking for the dwelling while also maintaining sufficient soft landscaping in the front yard. Staff note that the driveway complies with the maximum width for the majority of its length and the requested increase is solely in front of the garage in order to service the double car garage. Staff are satisfied that there are no streetscape impacts or soft landscaping issues related to the driveway request.

Variance number 5 requests a patio on top of a below grade accessory structure. Staff are satisfied that variance 5 is a technical variance caused by the fact that the cold storage in the basement is accessed from the exterior of the dwelling. Staff are of the opinion that the variance raises no massing or privacy concerns.

Zoning staff have identified two additional variances, the first for a setback to a window well and the second for two walkways on the same side of the driveway.

The variance relating to the window well is measured to a window well in the front yard. The intent of front yard provisions is to ensure a consistent streetscape and a sufficient front yard amenity space. The property maintains a generous front yard setback and the proposed window well is below grade and therefore has no impacts on the streetscape or massing.

The variance related to the walkways is due to the fact that the driveway runs nearly the length of the property adjacent to the northerly property line. Both walkways therefore project from the south side of the driveway. When a driveway is more centrally located on the property having two walkways on the same side of the driveways may cause concerns regarding hardscaping in the front yard. In this instance only one walkway is in the front of the property and the other is towards the rear. As only one walkway would be visible from the street staff are satisfied that there are no impacts to the streetscape.

Given the above, staff are of the opinion that the variances, both individually and collectively, 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?

Staff are of the opinion that the proposal represents appropriate development of the subject lands. The proposed dwelling is in character for new builds in the surrounding area and the requested variances are minor in nature. Staff are satisfied that the request meets the four tests of the Planning Act.

Conclusion

The Planning & Building Department has no objections to the application.

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 new dwelling will be addressed through the Site Plan Application process, File SP-21/02.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-2. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

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5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.
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7. Two walkways attached to driveway whereas By-law 0225-2007, as amended, permits one walkway on each side of a driveway.

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

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

The adjacent property is designated under the *Ontario Heritage Act*. Accordingly, a Heritage Impact Assessment is required to ensure that the proposed development does not negatively impact the heritage resource. The terms of reference are available at https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf. More comments may be forthcoming once the Heritage Impact Assessment is accepted.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

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N/A