

City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A378.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the proposal.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A driveway width of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A front yard soft landscaped area of 14.70% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscaped area of 40.00% in this instance;
3. A setback measured from a shed to a lot line of 0.32m (approx. 1.05ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a lot line of 0.61m (approx. 2.00ft) in this instance;
4. A setback measured from a garbage enclosure to a lot line of 0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a garbage enclosure to a lot line of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to an eave overhang of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 7.50m (approx. 24.60ft) in this instance; and
6. A rear yard measured to a rear addition of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measure to a rear addition of 7.50m (approx. 24.60ft) in this instance.

Background

Property Address: 1169 Barnswallow Court

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

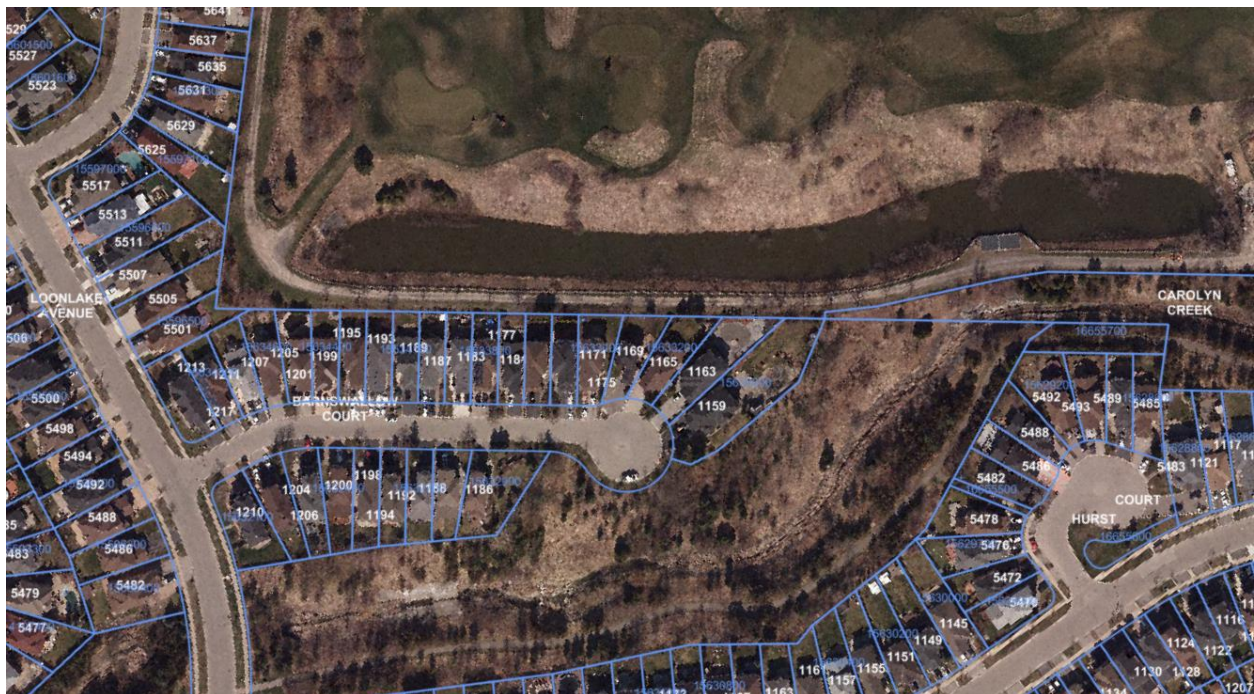
Zoning: R5 - Residential

Other Applications: PREAPP 21-6250

Site and Area Context

The subject property is located north-east of the Bristol Road West and Loonlake Avenue intersection in the East Credit Neighbourhood. It contains a two storey detached dwelling with an attached single car garage and backs onto Braeben Golf Course. The lot has a lot frontage of +/-9.26m (30.38 ft.) and an area of +/-404.65m² (4,355.76 sq.ft.). There is very little vegetation on the subject property, in contrast to surrounding lots with mature vegetation in the front yard.

The applicant is proposing to construct an addition and legalize the existing driveway and accessory structures requiring variances for driveway width, soft landscaping, and setbacks.



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:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual street frontages. 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. Staff have concerns with several of the variances regarding their impacts on abutting properties as well as the streetscape. Information has also been requested from the applicant, however it remains outstanding at this time. Staff are therefore unable to complete a full review of the application to determine if the request meets the four tests of a minor variance at this time.

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 one storey addition at the rear will be addressed through the Building Permit Process.

With regards to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.

For variances #3 and 4 we are uncertain if there are any drainage related concerns for the abutting property. From our site inspection it appears that this property contains a split drainage pattern where the high point is approximately in the middle of the dwelling and drainage from this point should be directed to the front and rear yards. There is a walkway which does accommodate some of the drainage from the area and directs it to the front, however we are unsure if any drainage from the roof of the structures is impacting onto the abutting property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-6250. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Brandon Eidner, Zoning Examiner