

City of Mississauga Department Comments

| | |
|---|---------------------------------------|
| Date Finalized: 2021-09-08 | File(s): A235.21 Ward 11 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-09-16 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to confirm the accuracy of the requested variances and that additional variances are not required.

Application Details

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

1. A lot coverage of 41.2% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback from a side lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a side lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and
3. A setback from a rear lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a rear lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and,
4. A driveway width of 6.7m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6m (approx. 20ft) in this instance; and,
5. A walkway attached to a driveway with a width of 2m (approx. 6.6ft) whereas By-law 0225-2007, as amended, permits a maximum width of a walkway attached to a driveway of 1.5m (approx. 4.9ft) in this instance.

Background

Property Address: 882 Bancroft Drive

Mississauga Official Plan

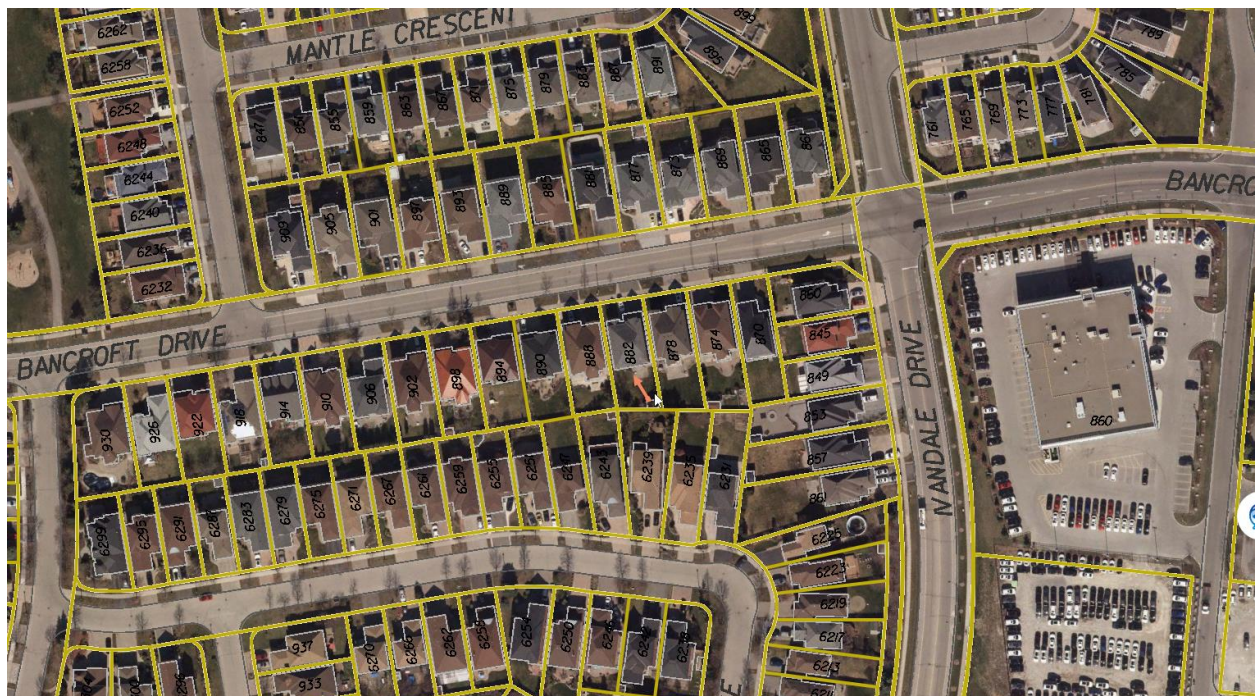
Character Area: East Credit NHD

Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R3-15 - Residential****Other Applications: PREAPP 21-5077****Site and Area Context**

The subject property is located east of the Mavis Road and Bancroft Drive intersection. The property is an interior parcel with a lot area of +/- 568.42m² (6,118.62 sq.ft.) and a lot frontage of +/- 15.01m (49.25 ft.). Currently the property houses a two-storey, detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of two-storey detached dwellings possessing lot frontages of +/- 14.6m (47.9 ft.) with mature vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing an addition to the existing dwelling as well as to legalize an accessory structure and driveway, requiring variances for side and rear lot line setbacks, driveway width, walkway attachment, and lot coverage.



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 East Credit Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II 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. The existing residential dwelling is permitted within this designation and the proposed variances create a built form on site that is compatible with the surrounding context. 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?

Variance 1 proposes an increased lot coverage on the subject property. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment can impact the neighbourhood streetscape and neighbouring properties by not reflecting the neighbourhood's existing character and massing. Staff is of the opinion that the proposed addition does not represent the overdevelopment of the lot and any massing concerns are mitigated by the addition being one storey. Furthermore, with the addition only being visible from the rear yard, the proposed addition will have no impact on the streetscape.

Variances 2 & 3 relate to the existing shed in the rear yard. The general intent of the yard setbacks for accessory structures is to ensure that an adequate buffer exists between the massing of structures on adjoining properties and ensuring that there is sufficient space surrounding the structure to allow for maintenance. Staff is of the opinion that the existing setbacks of 0.30m provide an adequate buffer between the shed and adjoining properties.

Variances 4 & 5 are for an increased driveway width and walkway attachment. The intent of the driveway width regulations are to ensure that the driveway can suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The intent of the walkway attachment provisions are to help define the entryway to the dwelling and allow for safe pedestrian access while prohibiting vehicle movements. Staff are satisfied that the proposed driveway is appropriately sized for the subject property and that the proposed walkway attachment will not facilitate vehicular movements.

Given the above, staff are satisfied that the application maintains 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?

The proposed addition will not impact the existing streetscape and does not represent overdevelopment of the lot. Furthermore an adequate buffer between the shed and primary structures on adjoining properties is maintained. Regarding the driveway, staff are satisfied that the proposal maintains appropriate soft landscaping in the front yard and is compatible with the surrounding context. Staff are therefore of the opinion that this application represents the orderly development of the lands and is minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the construction of an addition will be addressed through the Building Permit Process. With regards to the existing shed we have no drainage related concerns. This property does have a rear to front drainage pattern and we note from our site inspection that the existing and previously approved grading pattern has not been impacted.

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.





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 21-5077. Based on review of the information currently available in this permit application, we advise that we can't confirm the variances at this time as they have changed from what was originally proposed in the Preliminary Zoning Review application.

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

City of Mississauga Department Comments