

City of Mississauga Department Comments

Date Finalized: 2021-09-28	File(s): A101.20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 3:00:00 PM

Consolidated Recommendation

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

Application Details

1. An interior side yard setback of 1.91m (6.27ft) whereas By-law 0227-2007, as amended, requires a minimum interior side yard of 4.2m (13.78ft);
2. A lot coverage of 26.3% of the lot area, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area;
3. A floor area of an attached garage of 178.37sq.m (1,920sq.ft), whereas By-law 0225-2007, as amended, permits a maximum floor area of an attached garage of 75sq.m (807.32sq.ft);
4. A gross floor area of an accessory structure of 44sq.m. (473.63sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory structure of 20sq.m (215.29sq.ft.) in this instance.

Background

Property Address: 2035 Stonehouse Crescent

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

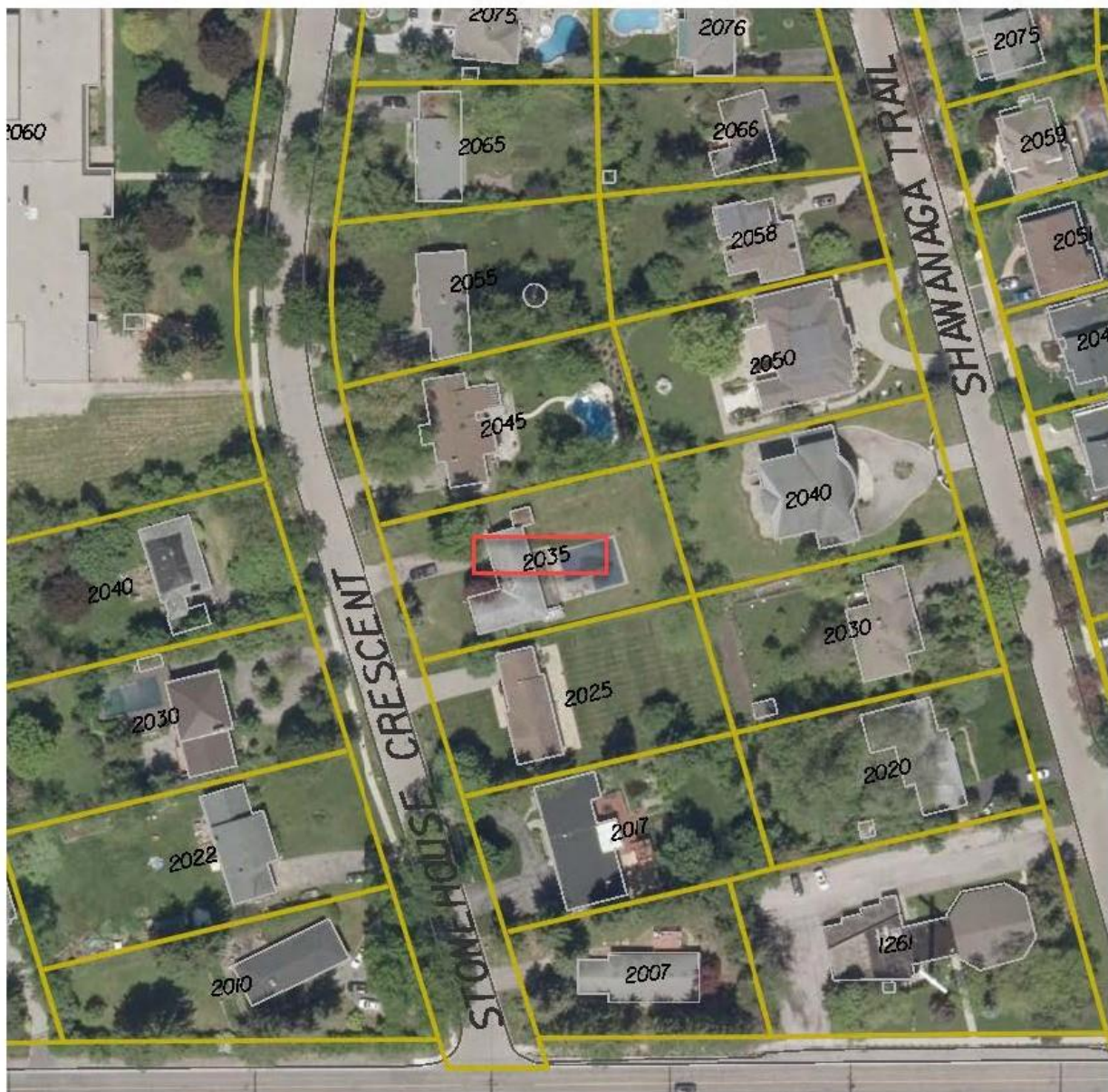
Zoning: R1 - Residential

Other Applications: Unknown

Site and Area Context

The subject property is located in the Sheridan Neighbourhood, west of Mississauga Road and North Sheridan Way. The immediate area on Mississauga Crescent consists mostly of older one storey and newer two storey detached dwellings on lots with mature vegetation in both the front and side yards. The subject property contains an existing one storey dwelling with mature vegetation within the front yard.

The application proposes to construct a new two storey dwelling requiring variances related to interior side yard, lot coverage and floor area of the attached 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. The subject property is also located in the Old Port Credit Village Heritage Conservation District. 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 dwelling 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 pertains to the interior side yard setback. The applicant has proposed a side yard setback of 1.91m (6.27 ft) when a minimum interior side yard setback of 4.2m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff have no concerns with this variance, as the side yards proposed provided an adequate buffer between the massing of the proposed dwelling and adjacent properties. Furthermore, the proposed setbacks will ensure access to the rear yard is maintained.

Variance #2 pertains to lot coverage. A lot coverage of 26.3% is proposed, where a maximum lot coverage of 25% is permitted. Only 18.1% of the lot coverage is attributed to the dwelling's footprint. The remaining lot coverage is attributed to porches and balconies. This variance raises no concern of a planning nature. Furthermore, the overage is negligible.

Variance #3 pertains to floor area of an attached garage. A floor area of 178.37m² (1,920ft²) is proposed, whereas a maximum floor area of an attached garage of 75m² (807.32ft²). The intent in restricting the overall amount, and individual size, of an attached garage is to ensure that the detached dwelling remains residential in nature, so that the majority of the structure's ground floor area is attributed to livable space, rather than storage space. Additionally, this portion of the By-law serves to minimize the visual impact resulting from multiple, or excessive, garage faces from a streetscape perspective. While this variance is excessive, staff has no concerns with this variance. The proposed attached garage is located underground and cannot be viewed from the street, as access is provided from the south side of the proposed dwelling, which faces the adjacent property. Furthermore, the proposed dwelling is large; the attached garage is appropriate sized for the dwelling and will remain residential in nature.

Variance #4 pertains to the GFA of an accessory structure. A GFA of 44m² (473.63ft²) is proposed where a maximum gross floor area of an accessory structure of 20m² (215.29ft²) is permitted. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring lots. Staff have no massing concerns with the proposed structure (storage area), as it is located below ground in the proposed basement.

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 dwelling respects the designated land use and contains architectural features that breaks up the overall massing of the dwelling. Furthermore, the accessory structures are appropriate size in relation to main dwelling and property size. As a result, the proposed dwelling maintains compatibility with dwellings in the immediate area. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

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 dwelling will be addressed through the Building Permit process, File BP 9ALT 21/7321.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9NEW 21-7321. We advise that more information has been requested to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. Revised plans have not been received by this department for review prior to the minor variance application comment due date.

Our comments are based on the plans received by Zoning staff on 2021/06/24 for the above captioned application. Please note that these comments may no longer be valid should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor