

City of Mississauga Department Comments

Date Finalized: 2021-09-29	File(s): A348.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A lot coverage of 36.80% (205.15sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (195.12sq.m) in this instance; and
2. A side yard measured to a stairwell of 0.58m (approx. 1.90ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a stairwell of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 3524 Palgrave Road

Mississauga Official Plan

Character Area: Fairview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

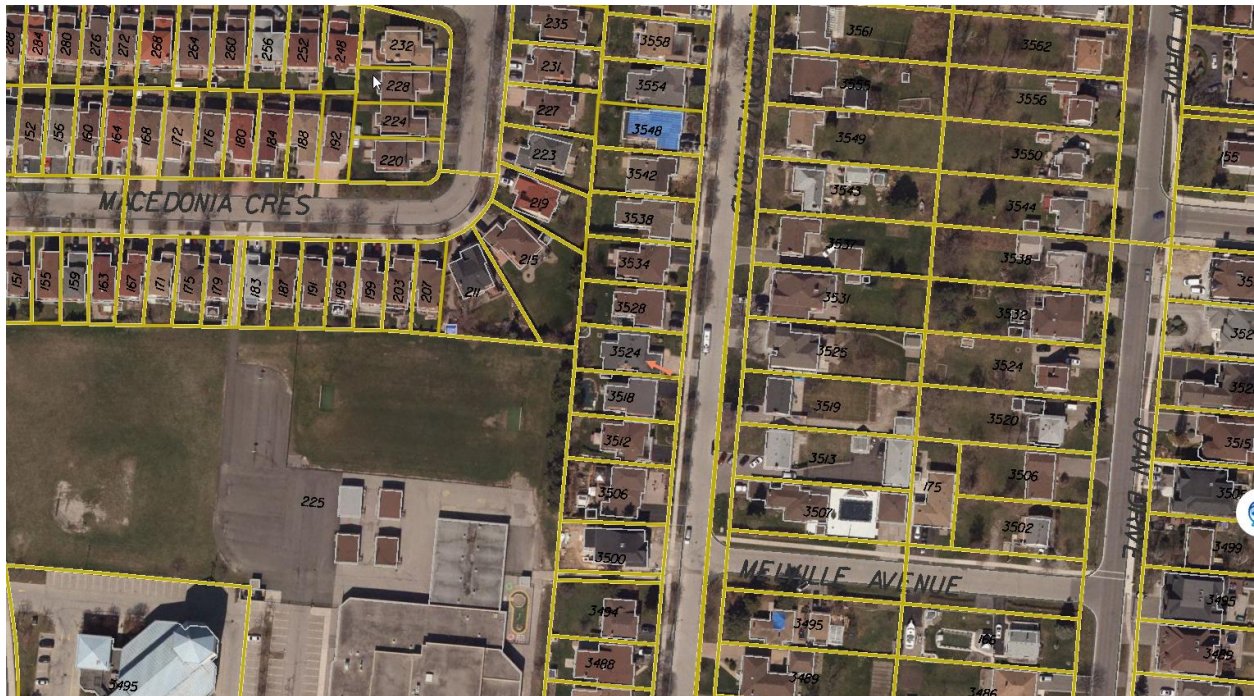
Other Applications: PREAPP 21-6677

Site and Area Context

The subject property is located north-east of the Central Parkway West and Confederation Parkway intersection in the Fairview Neighbourhood. It has a lot frontage of +/- 15.24m (50.0ft),

a lot area of +/- 557.48m² (6,000.7ft²), and currently contains a two storey detached dwelling with an attached garage. Limited landscape elements are present in both the front and rear yards. The surrounding context includes detached dwellings on lots of various sizes, as well as Bishop Scalabrini School to the rear.

The applicant is proposing a new porch on the subject property requiring variances for lot coverage and the side yard setback.



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 Fairview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, 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 proposed variances are triggered by the construction of a front porch that directly services the permitted detached dwelling. It is the opinion of staff that the proposed construction is compatible with the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

The first variance requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The entirety of the variance coverage can be attributed to the proposed front porch and below grade cold room. The porch is appropriately sized and located for the property and creates no massing impacts to the streetscape or abutting properties.

The second variance requests a reduction of the side yard measured to a stairwell servicing a below grade entrance. 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, that access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be provided. The proposed stairwell does not create any additional massing adjacent to the abutting property and staff are satisfied that the proposed setback is appropriate. Furthermore access to the rear yard remains unencumbered via the other side of the dwelling.

Staff are therefore satisfied 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 satisfied that the proposal represents appropriate development of the subject lands and is minor in nature. The variances represent minimal deviations from the Zoning By-law that are not anticipated to create adverse effects impacting surrounding properties.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to construct a new porch at the front of the dwelling and a basement entrance stairwell with a side yard setback of 0.58m. It is our understanding through a discussion with the owner that the side yard stairwell will be constructed in such a manner that drainage will not impact on the abutting property. It was also indicated that the existing side yard walkway would be reconstructed in a manner such that any drainage from the side yard would be directed to the front. In view of the above we have no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6677. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Sherri Takaloo – Zoning Examiner