

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A87.22 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 3:00:00 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 dwelling proposing:

1. A lot coverage of 38.98% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
2. A rectangular garage area measured from the inside face of walls of 5.79m x 5.79m (approx. 19.00ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area measured from the inside face of walls of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance.

Background

Property Address: 458 Claircrest Avenue

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 21-9552

Site and Area Context

The property is located south-east of the Dundas Street East and Burslem Road intersection and currently houses a one-storey detached dwelling with some mature vegetation and landscape elements in both the front and rear yards. The subject property is an interior parcel, with a lot area of approximately +/- 817.86m² (8,803ft²) and a lot frontage of approximately +/- 18.25m (59.9ft). Contextually, the surrounding neighbourhood consists exclusively of detached dwellings on similarly sized lots. Industrial uses are present farther to the east along Tedlo Street.

The applicant is proposing a new two-storey detached dwelling requiring variances for lot coverage and garage dimensions.

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 Cooksville Neighbourhood East Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I 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 new dwelling and garage are permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP are maintained.

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

Variance #1 as requested pertains to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the dwelling itself represents a lot coverage of 35.61%, with the remainder of the coverage attributed to the front porch and rear concrete patio/balcony. Staff are of the opinion that the porch and patio/balcony do not represent the same massing concerns as if the entirety of the request was for the enclosed structure, and that the proposal is appropriate for both the lot and surrounding context.

Variance #2 pertains to a proposed rectangular garage area. The intent of this provision is to ensure that the garage can accommodate the parking of atypical vehicles entirely within the garage area. Staff note that request represents a difference of 21cm (approx. 8.25in) and that,

despite the proposed reduction in size, the garage will maintain the ability to provide parking for vehicles of average length.

Staff are therefore satisfied that the requested variances 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 find the proposed lot coverage and garage area of the proposed dwelling to be appropriate and proportional, and are compatible with other dwellings in the area. This is a desirable development of the land, and the effects are minor in nature.

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 Building Permit Process.



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 21-9552. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 12/16/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes

and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner