

City of Mississauga Department Comments

Date Finalized: 2022-03-16	File(s): A489.21 Ward 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-24 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A driveway width of 11.01m (approx. 36.12ft) whereas By-law 0225-007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within the 6.0m of the garage face and provides direct vehicular access to the garage and a maximum driveway width of 8.50m (approx. 27.89ft) for the portion of the driveway beyond 6.0m of the garage face in this instance;
2. 2 driveways whereas By-law 0225-007, as amended, permits 1 driveway in this instance;
3. A balcony area of 11.28sq.m (approx. 121.42sq.ft) whereas By-law 0225-007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A combined width of two points of access of a circular driveway of 9.14m (approx. 29.99ft) whereas By-law 0225-007, as amended, permits a maximum combined width of 8.50m (approx. 27.89ft) in this instance;
5. A garage area of 143.78sq.m (approx. 1,547.64sq.ft) whereas By-law 0225-007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
6. 2 walkway connections of the same side of the driveway fronting Doulton Drive whereas By-law 0225-007, as amended, permits a maximum of 1 walkway connection on each side of the driveway in this instance;
7. An eaves encroachment of 0.88m (approx. 2.89ft) whereas By-law 0225-007, as amended, permits a maximum eaves encroachment of 0.45m (approx. 1.48ft) in this instance; and
8. 2 kitchens whereas By-law 0225-007, as amended, permits a maximum of 1 kitchen in this instance.

Amendments

The Building Department is currently processing a Site Plan Infill application under file SPI 20-93. Based on review of the information currently available for this application, we advise that variances(s) # 2, 4, 6, and 8 as requested, are correct. Furthermore, following variance(s) should be amended as follows:

1. A driveway width of 11.12m whereas By-law 0225-007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within the 6.0m of the garage face and provides direct vehicular access to the garage and a maximum driveway width of 8.50m (approx. 27.89ft) for the portion of the driveway beyond 6.0m of the garage face in this instance;
3. A balcony above a garage with an area of 11.28sq.m (approx. 121.42sq.ft) whereas By-law 0225-007, as amended, permits a balcony above a garage to a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
5. A garage area of 137.69m sq whereas By-law 0225-007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;

Property Address: 2329 Doulton Drive

Mississauga Official Plan

Character Area: Sheridan Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-5 - Residential

Other Planning Applications: Site Plan – SP 20-93 W8, Pre-Application Zoning Review 19-7993, Building Permit (No. Unknown)

Site and Area Context

The subject property is located within the Sheridan Neighbourhood, southeast of Dundas Street West and Mississauga Road. The neighbourhood is entirely residential consisting of large two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property is a two-storey detached dwelling with mature vegetation in the front and side yards.

The applicant is proposing a new dwelling requiring variances for the proposed driveways, walkway connections, garage area, kitchens, eaves and balconies.



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 request are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. The proposed detached dwelling respects the designated land use.

The Committee of Adjustment previously deferred the above noted application on November 25th, 2021 to allow the applicant an opportunity to redesign the dwelling. As noted in Staff's report dated November 16th, 2021, the applicant's original submission proposed a significant amount of hardscaping on the subject property. Staff also raised concerns with a variance relating to balcony area, as it would negatively impact adjacent neighbours and present overlook and privacy concerns.

The applicant has since revised the proposal by removing a walkway connection variance, and reducing the sizes of the proposed driveways and balcony located above the garage. Staff have no concerns with the remaining variances proposed. The applicant's revisions directly address staff's concerns pertaining to excessive hardscaping and privacy and overlook. As such, staff has no concerns with the applicant's revised proposal.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning 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 are being addressed through the current Site Plan Application, File SPI-20/093.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 20-93. Based on review of the information currently available for this application, we advise that variances(s) # 2, 4, 6, and 8 as requested, are correct. Furthermore, following variance(s) should be amended as follows:

1. A driveway width of 11.12m whereas By-law 0225-007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within the 6.0m of the garage face and provides direct vehicular access to the garage and a maximum driveway width of 8.50m (approx. 27.89ft) for the portion of the driveway beyond 6.0m of the garage face in this instance;
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5. A garage area of 137.69m sq whereas By-law 0225-007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;

In addition, we note that further information is required to confirm variance 7.

Our comments are based on the plans received by Zoning staff on 01/12/2022 for the above captioned site plan 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