

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A134/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-14

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure (garage) and widened driveway on the subject property proposing:

1. An accessory structure building height measured to the highest ridge of 5.13m (approx. 16.83ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 4.60m (approx. 15.10ft) in this instance;
2. An accessory structure building height measured to the soffit/eave of 3.85m (approx. 12.63ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the soffit/eave of 3.00m (approx. 9.84ft) in this instance;
3. A setback measured to a lot line of 0.00m (approx. 0.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a lot line of 0.60m (approx. 1.97ft) in this instance; and
4. A driveway width of 8.10m (approx. 31.43ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1533 Blenheim Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

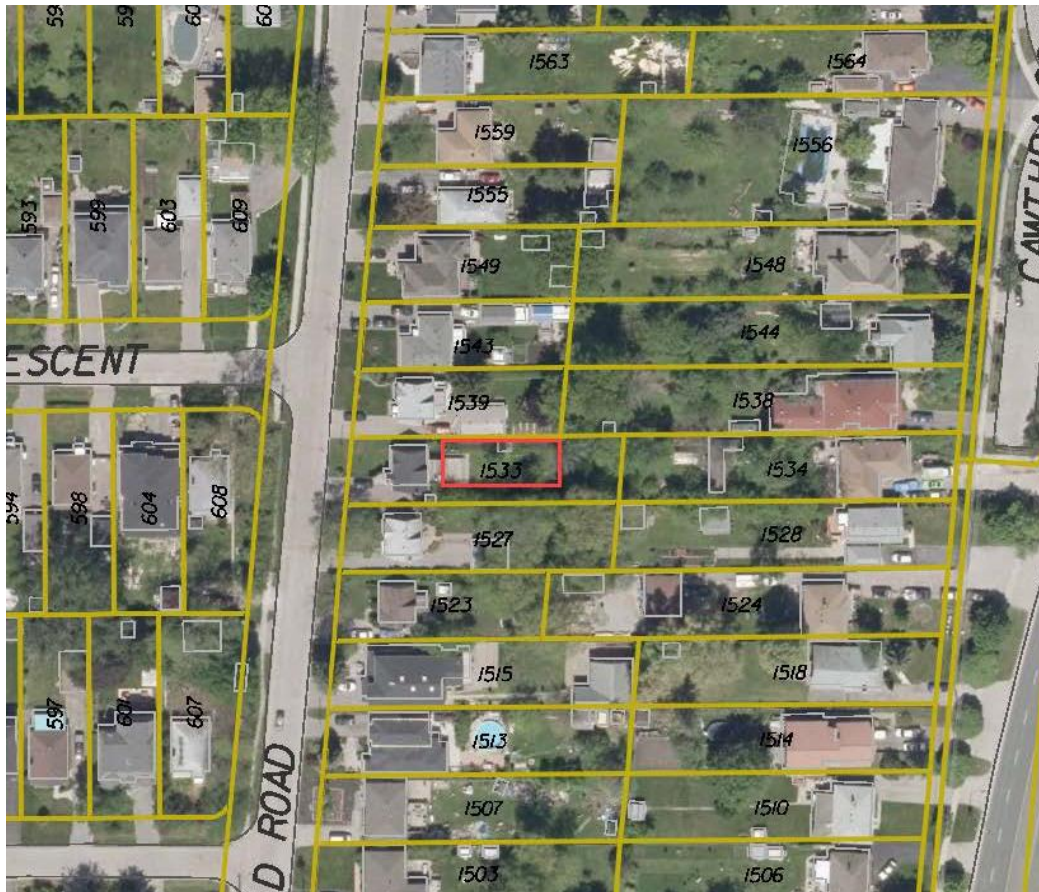
Other Applications

Building Permit: 19-7957

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Cawthra Road and South Service Road. The immediate neighbourhood is residential, consisting of one to two storey detached dwellings with little mature vegetation. The subject property contains an existing one storey detached dwelling with some vegetation within the rear yard.

The application proposes a detached garage in the rear yard, requiring variances related to height and to the existing driveway width and 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 designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which 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 compatible with the surrounding area context and will not negatively impact the soft landscaping and character of the surrounding area. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1 and 2 propose increases to the overall height and eave height of the detached garage. The intent of the zoning by-law is to ensure that the structure is proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. In this instance, there is a difference of 0.35 m between established grade which the structure is measured to and the finished slab. The structure is sufficiently setback from the neighbouring property and proposes a sloped roof, minimizing the impact of the increased height. There is also vegetation within the side yard, further mitigating the impact of the proposed structure. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a driveway setback of 0 m whereas a minimum of 0.61 m is required. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. Staff generally requires a 0.30 m driveway setback to ensure proper drainage and that there is a sufficient visual buffer. In this instance, the driveway setback of 0 m is located on a minor portion of the driveway towards the side yard of the dwelling. A majority of the driveway from the street maintains a sufficient soft landscaped area to the adjacent lot, minimizing any drainage concerns. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #4 proposes a driveway width of 8.10 m whereas a maximum of 6 m is permitted. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of front yard consisting of soft landscaping. The proposed driveway width is measured to the widest and does not propose a width of 8.10 m throughout the entire length of the driveway. A majority of the driveway from the street to the dwelling maintains a width of 6.85 m, maintaining an appropriate amount of hard landscaping that does not negatively impact the soft landscaped area required. 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 detached garage and driveway width maintain the planned and existing context of the surrounding neighbourhood. The impact of the increased heights of the detached garage is mitigated due to the setback, sloped roof and vegetation within the side yard. Furthermore, the established grade is calculated 0.30 m below the finished slab which slightly inflates the height of the detached garage. The driveway does not propose a width of 8.10 m throughout the entire length. The majority of the width from the street to the dwelling is approximately 6.85 m, maintaining a sufficient soft landscaped within the front yard. Regarding the driveway setback, a small portion of the driveway has a setback of 0 m. The remaining portion of the driveway maintains the by-law provisions and provides a sufficient visual buffer between properties and mitigates any drainage concerns. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, 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 addition will be addressed through the Building Permit process BP-19/7957.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7957. Based on review of the information currently available for this building permit, the variances, as requested are correct. However, we also advise that more information is required to determine whether additional variances will be required.

Comments Prepared by: Jeanine Benitez-Bumanglag

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-362/19, DEF-A-028/20, DEF-A-029/20

Minor Variance Applications: A-132/20, A-133/20, A-134/20, A-143/20, A-144/20, A-145/20, A-148/20

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang, Junior Planner