

City of Mississauga Department Comments

Date Finalized: 2022-06-08	File(s): A284.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-06-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing house and driveway with:

1. A gross floor area of 208.1sq.m (approx. 2,239.97sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.318sq.m (approx. 1,876.34sq.ft) in this instance; and,
2. A driveway width of 5.5m (approx. 16.40ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m (approx. 15.55ft) in this instance.

Background

Property Address: 3064 Churchill Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

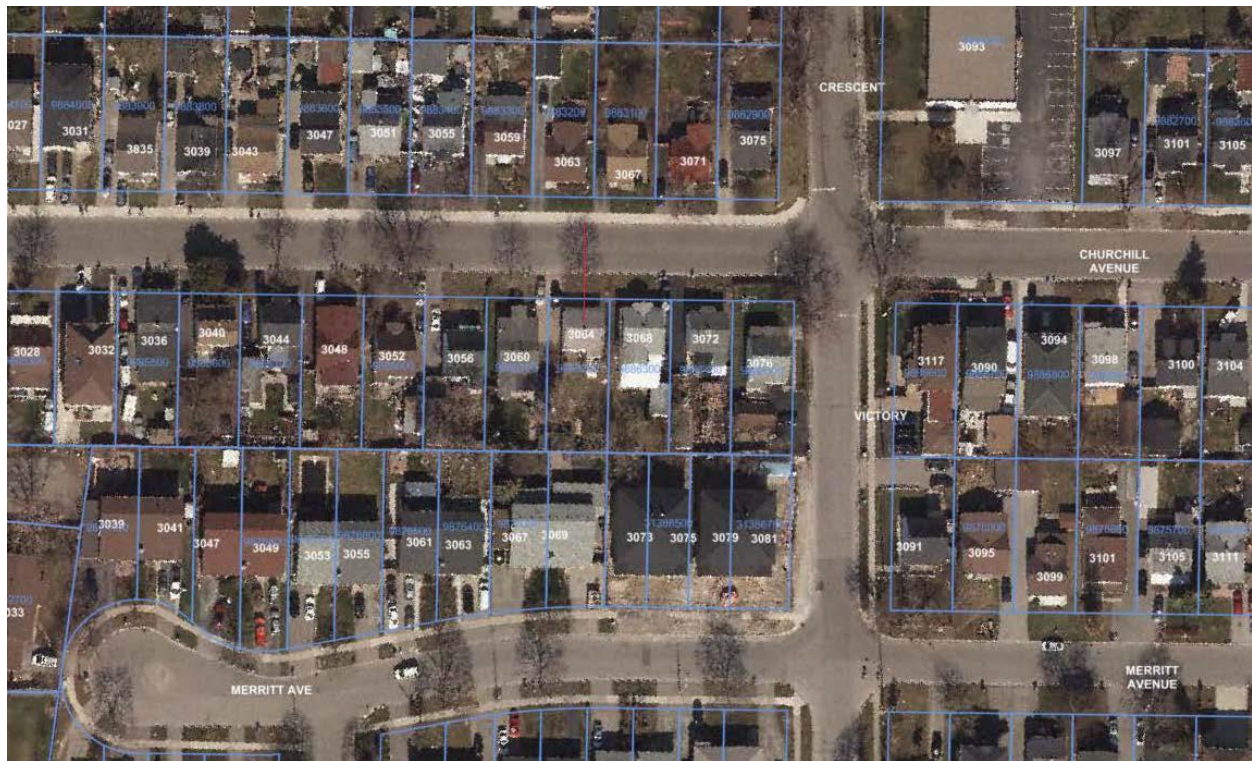
Zoning: R4-1 - Residential

Other Applications: BP 9NEW 22-1166

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection, in the Malton Neighbourhood Character Area. This portion of Churchill Avenue contains only detached dwellings, however semi-detached dwellings are present in the neighbourhood and commercial uses are also present along Airport Road. The vast majority of dwellings along this portion of Churchill Avenue are the original one and two storey detached dwellings that were built when the area was originally developed. Limited mature vegetation exists on the subject and surrounding properties.

The applicant is proposing to construct a new dwelling on the property requiring variances for gross floor area and driveway width.



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 Malton Neighbourhood Character Area and is designated Residential Low Density II 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 dwelling conforms to the designation and staff are of the opinion that the proposed built form appropriately balances the planned character of the area and the existing built form of 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?

Variance 1 requests an increase in gross floor area to 208.1m² (approx. 2,239.97ft²). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the revised proposal is in line with other new construction within the Victory Village area and appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variance 2 requests an increase in driveway width. The intent of limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping. Churchill Avenue contains a mix of driveway widths including both one and two car wide driveways. Staff are satisfied that the proposal is appropriate to facilitate the parking of two vehicles side by side and maintains an appropriate soft landscaped area in the front yard.

Given the above, staff are satisfied that the application maintains 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 will be addressed through the Building Permit Application Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file 22-1166. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Richard Thompson, Zoning Examiner

Appendix 3 – Region of Peel Comments

Comments: As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”

Comments Prepared by: Camila Marczuk, Development Engineering