

City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A313.22 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-21 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 variances 2 & 3 and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. A driveway width of 6.14m (approx. 20.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.70m (approx. 15.42ft) in this instance;
3. A setback to the eaves of 1.96m (approx. 6.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback to eaves of 7.05m (approx. 23.13ft) in this instance.
4. A rear yard setback of 2.36m (approx. 7.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.6ft) in this instance; and,
5. A rear yard setback of 1.71m (approx. 5.61ft) to the window well whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.89m (approx. 22.60ft) to a window well in this instance.

Background

Property Address: 3310 Jolliffe Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

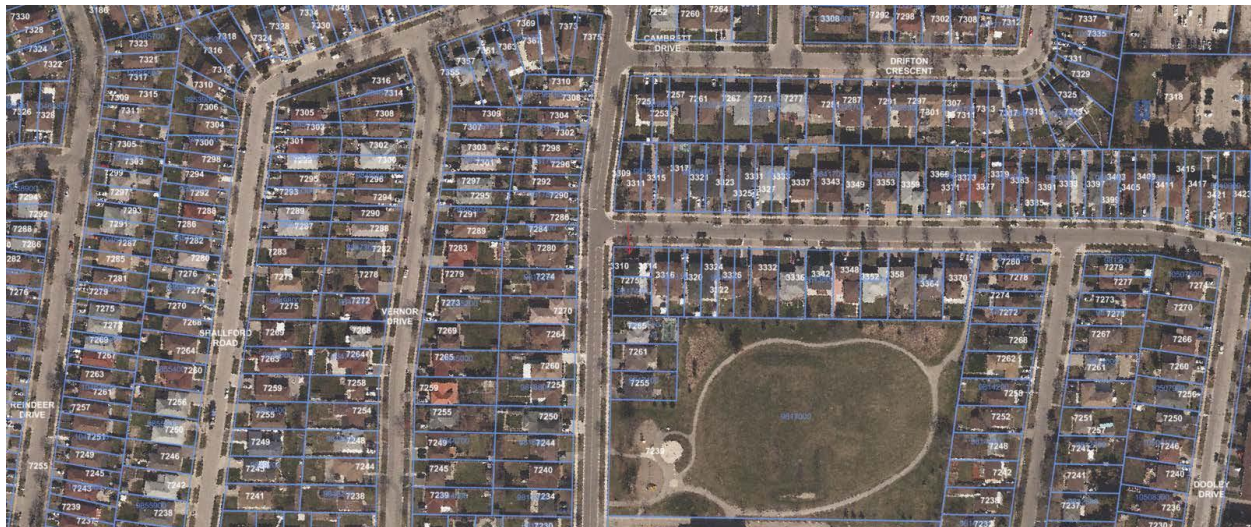
Zoning: RM1 - Residential

Other Applications: PREAPP 21-6154

Site and Area Context

The subject property is located on the south-east corner of Jolliffe Avenue and Cambrett Drive in the Malton neighbourhood. It currently contains a two-storey semi-detached dwelling with a lot area of +/- 350.73m² (3,775.23ft²). Limited vegetative and landscaping elements are present in both the front and exterior side yards. The surrounding area context consists of a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing to construct an addition requiring variances for lot coverage, driveway width, and setbacks.



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). The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, requiring that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal appropriately balances the existing and planned characters of the surrounding area and are of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. The proposed increase in lot coverage is minor in nature and does not create any significant impacts to the streetscape or surrounding properties when compared to the as of right permissions.

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 yard being soft landscaping. Two car wide driveways are common along Jolliffe Avenue and a 6.14m (approx. 20.14ft) driveway would be appropriate given the lot size and surrounding neighbourhood, however staff note that on the drawing the driveway appears to be larger than the indicated 6.14m as the dimension does not include the concrete pad, which appears to facilitate parking based on imagery of the property. Should it be the intent of the applicant to remove the concrete pad and comply with the 6.14m request, staff have no objections to the variance.

Variances 3 through 5 request reductions to the rear yard setback requirements for various aspects of the dwelling. The intent of rear yard setback provisions is to ensure an adequate buffer between structures on abutting properties and the provision of an appropriate amenity area on the property. Staff note that the current layout of the property places amenity areas in the front and exterior side yards as opposed to the rear yard. Furthermore the proposed addition abuts the side yard of the adjacent dwelling and maintains an appropriate condition for a side 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 for the addition will be addressed through the Building Permit process.

This department notes that with regard to the widened driveway (variance #2) within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.





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 21-6154. Based on review of the information currently available in this permit application, variances # 1, 4 and 5, as requested, are correct.

Furthermore, we advise that more information is required in order to verify the accuracy of the remaining requested variance(s) or to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 12/07/2021 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: Jeanine Benitez, Zoning Examiner

Appendix 3- Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Joseph Filice, Junior Planner