

City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A285.22 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 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 the construction of a new dwelling proposing:

1. A driveway width of 15.10m (approx. 49.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A garage area of 81.01sq.m (approx. 871.98sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
3. An accessory structure height (cabana) of 4.0m (approx. 13.12ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.5m (approx. 11.48ft) in this instance;
4. An accessory structure area (cabana) of 31.69sq.m (approx. 341.11sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
5. To permit two walkway attachments to the driveway whereas By-law 0225-2007, as amended, only permits one walkway attachment to a driveway in this instance; and,
6. A walkway attachment width of 4.65m (approx. 15.26ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 11.48ft) in this instance.

Background

Property Address: 2200 Parker Dr

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

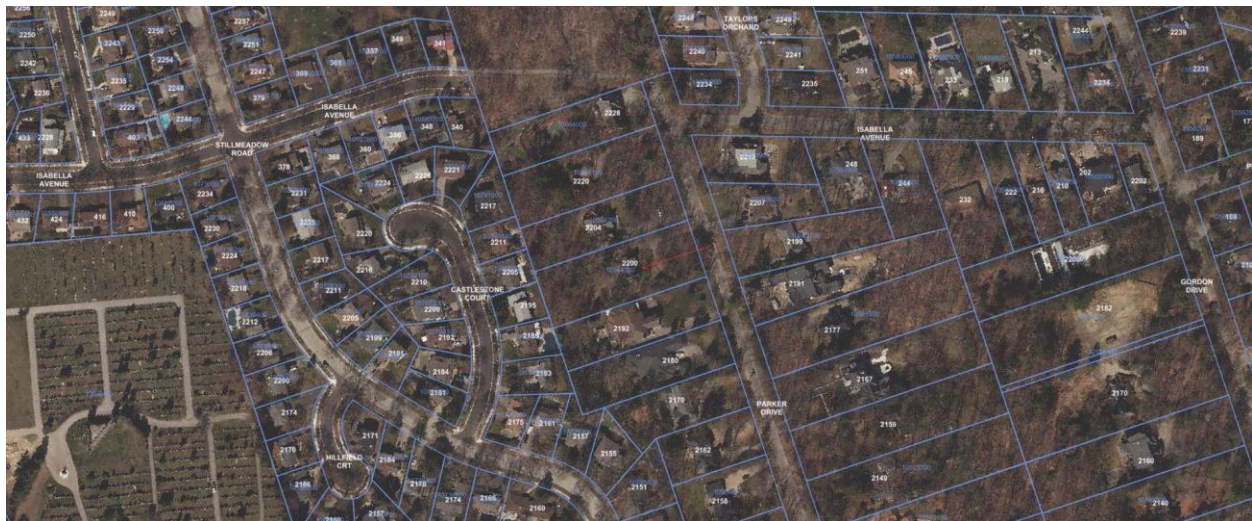
Zoning: R1-6 - Residential

Other Applications: SPI 21-109

Site and Area Context

The subject property is located south-east of the Queensway West and Stillmeadow Road intersection in the Cooksville neighbourhood, in an area known as Gordon Woods. The subject property currently contains a two storey detached dwelling that is proposed to be demolished. It has a lot frontage of +/-39.61m (129.95ft) and a lot area of +/-4,254.23m² (45,792.15ft²). Significant mature vegetation is present on the subject property. The surrounding context consists of detached dwellings on lots of varying sizes.

The applicant is proposing to construct a new dwelling and accessory structure on the subject property requiring variances for driveway width, garage area, accessory structure floor area and height, and walkway attachments.



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 Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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. Staff are of the opinion that the accessory structure, garage size, and landscaping do not impact the property's permitted use and are compatible with existing site conditions and the surrounding context. The proposal therefore 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 increased 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. The applicant is proposing a side access garage, thereby requiring the driveway width to be measured perpendicular to the direction of travel. This measurement is not representative of the actual driveway width. The proposed increase is only for a small portion of hardscaping immediately in front of the garage and is appropriate to serve for access and egress from the garage. Furthermore the proposal maintains significant soft landscaping in the front yard.

Variance 2 requests an increased garage size. The intent in restricting the size of an attached garage is to ensure that the detached dwelling remains residential in nature and that the majority of the structure's ground floor area is attributed to livable space, rather than storage space. Additionally, this portion of the by-law serves to minimize the visual impact resultant of multiple, or excessive, garage faces from a streetscape perspective. The proposed increase is minor in nature and will be appropriately screened from the streetscape by significant vegetation in the front yard. Staff are satisfied that the garage is appropriately sized for both the lot and the dwelling.

Variances 3 & 4 request an increase in height and floor area for an accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory to the principle use,

and that there are no massing concerns to neighbouring lots. Staff note that no setback variances have been requested, and that the structure represents less than 1% of the total lot area. It is the opinion of staff that the proposed structure is proportional, clearly accessory, and does not pose any massing concerns.

Variances 5 & 6 relate to walkway attachments. The intent of this portion of the bylaw is to provide a convenient and dedicated pathway to accommodate pedestrians as well as define an entryway to the dwelling, while ensuring the walkway cannot be utilized for parking purposes. The proposed layout of the driveway leads to the two walkways being located on the same side of the driveway, however staff are satisfied that they are appropriate in this instance. While the enlarged walkway has sufficient size to accommodate a vehicle, staff note that the angle of the walkway would make maneuvering a vehicle onto the walkway difficult. Furthermore the walkway width aligns with the width of the front porch and is stylistically appropriate.

Given the above, Planning staff are satisfied that the proposal 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?

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. Impacts to abutting properties and the streetscape are limited due to the heavy vegetation on the property acting as a screen. The variances are minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

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 new dwelling will be addressed through the current Site Plan application process, File SPI-21/109.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 21-109. 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: Sherri Takaloo, Zoning Examiner

Appendix 3 – Region of Peel

Development Engineering: Alexandra Maria (905) 791-7800 x7991

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

All unutilized water and sanitary services shall be disconnected and/or abandoned in accordance with Region of Peel standards and specifications. 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

This site does not have frontage on existing municipal sanitary sewer. However, municipal sanitary servicing will be provided through Project Z15.315. Regional servicing approvals will not be issued until preliminary acceptance is granted by the Region of Peel for project Z15.315

Comments Prepared by: Joseph Filice, Junior Planner