

City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A262.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the alteration of an existing deck to construct a below-grade entrance proposing a lot coverage of 43.4% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.0% in this instance.

Background

Property Address: 534 Avonwick Ave

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

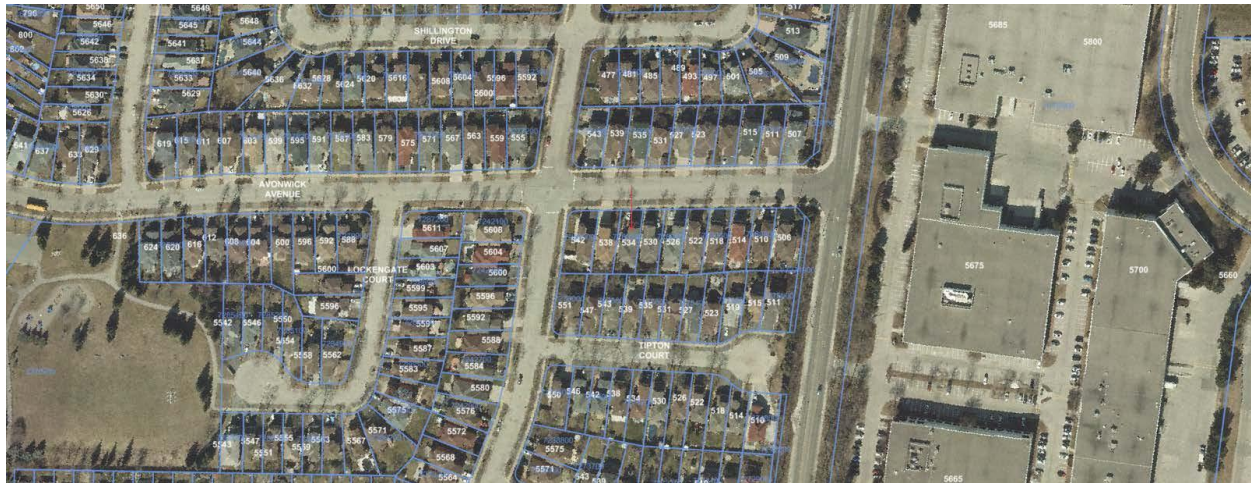
Other Applications: SEC UNIT 21-8362

Site and Area Context

The subject property is located south-west of the McLaughlin Road and Matheson Boulevard West intersection. It currently contains a two-storey detached dwelling with an attached garage and a lot area of +/- 438.14m² (4,716.10ft²). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is predominantly

residential, consisting predominantly of detached dwellings on lots of similar sizes. Industrial uses are present on the east side of McLaughlin Road.

The applicant is proposing to modify the existing rear deck to facilitate the construction of a basement entrance, requiring a variance for lot coverage.



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 Hurontario 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, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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 below grade entrance is to be incorporated into a modified rear deck, resulting in no significant changes to the property's existing condition. Staff are satisfied that the request maintains the general intent and purpose of the official plan.

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

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. Planning staff are of the opinion that the proposed entrance, and the existing deck into which it will be incorporated, will not create any massing issues. As no new massing is proposed it is staff's opinion that the entrance does not represent an overdevelopment of the lot. Staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that any negative impacts to abutting properties will be minor in nature. Furthermore the proposal represents appropriate development of the subject property.

Notwithstanding the above comments on the requested variance, a review of the property has revealed that the existing driveway appears different than the driveway shown on the drawings. Staff note that the width of the driveway does not appear to meet the requirements under the zoning by-law. Staff have concerns with the existing driveway and its impact on the streetscape, however are unable to comment if the driveway meets the four tests of a minor variance without confirmation of the width and an appropriate site plan. As such the applicant may wish to defer the application at this time to resubmit the application with any additional necessary variances and an updated drawing for review.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note from our site inspection that the proposed below grade entrance should not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 21-8362. Based on review of the information currently available in this permit application, the variance, as requested is correct.

Please note that comments reflect those provided through the above permit application submitted on 02/04/2022 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