

City of Mississauga Department Comments

Date Finalized: 2022-11-30	File(s): A487.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-12-08 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances. The applicant may wish to defer the application to ensure that all variances have been accurately identified.

Application Details

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

1. A lot coverage of 27.7% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. An interior side yard setback to the eaves of 2.68m (approx. 8.79ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 3.55m (approx. 11.65ft) in this instance;
3. A front yard setback of 4.67m (approx. 15.32ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
4. A front side yard setback to the eaves of 4.23m (approx. 13.88ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the eaves of 7.05m (approx. 23.13ft) in this instance;
5. A driveway walkway attachment width of 3.03m (approx. 9.94ft) whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
6. A rear yard setback to a shed of 0.52m (approx. 1.71ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard setback to a shed of 1.20m (approx. 3.94ft) in this instance; and,
7. A side yard setback to a shed of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, permits a maximum side yard setback to a shed of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 1567 Ifield Rd

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

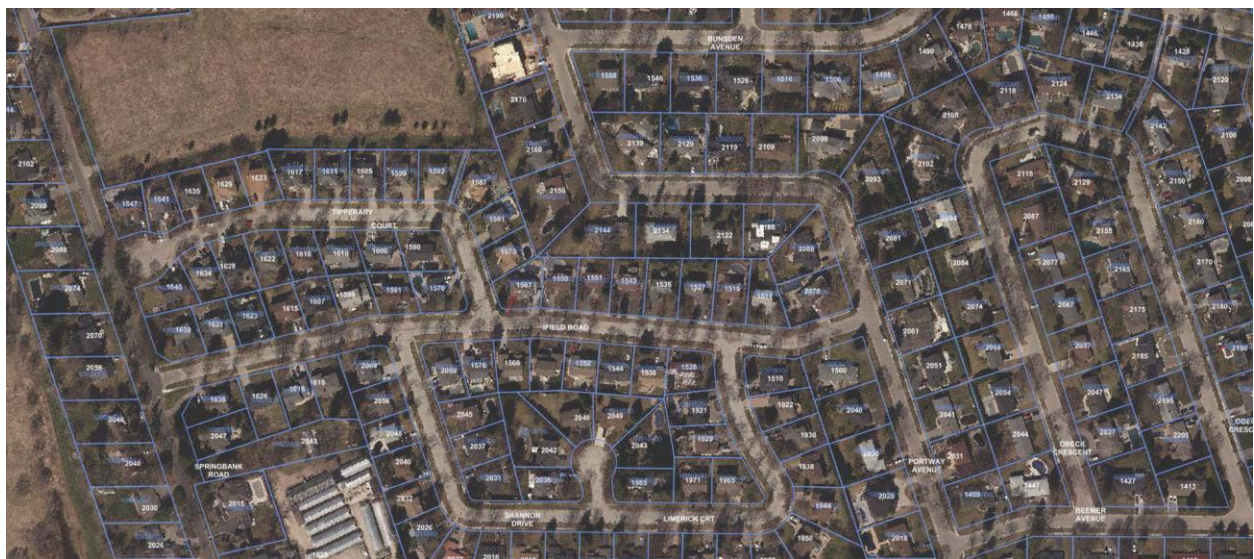
Zoning: R1 -Residential

Other Applications: Preliminary Zoning Review application under file PREAPP 22-1187

Site and Area Context

The subject property is located within the Sheridan Neighbourhood, northeast of the Southdown and North Sheridan Way intersection. The neighbourhood is entirely residential consisting of two-storey detached dwellings with mature vegetation in the front yards. Employment land uses are located west of the subject property. The subject property contains a two storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition requiring variances for lot coverage, setbacks and a walkway attachment.



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 Sheridan Neighbourhood Character Area and is designated Residential Low Density I 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 proposal conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. 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 pertains to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The proposed lot coverage for the property is 27.7%, of which approximately 26.12% (222.74m²) is for the dwelling and approximately 1.55% (13.21m²) for the accessory structure. The proposed redevelopment would increase the lot coverage from 25% to 27.7%. This increase represents a minor deviation from the zoning by-law requirements and is of an appropriate scale of development for the lot.

Variances #2 and #4 pertains to eave setbacks. The intent of this portion of the by-law is to ensure that eaves are sufficiently setback from all property lines. Staff note that the interior side yard eave setback is greater than what is currently provided to the existing dwelling. Staff do not anticipate any significant impact as a result of the variance requests as there is sufficient distance between the eaves and all lot lines.

Variance #3 pertains to a front yard setback. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that sufficient front yard space is incorporated into the design of neighbourhoods. Staff note that the subject property is a corner lot. While the technical review of zoning has the front setback being required to Tipperary Court, the dwelling's façade and orientation is towards Ifield Road. Due to the curved frontage of the lot, the proposed addition has a reduced setback measured to the portion of the lot fronting onto Tipperary Court, which ultimately gives the visual appearance of a side yard setback for the dwelling. The addition provides a greater setback to Ifield Road than the existing dwelling and would appear to be consistent when viewed from Ifield Road. As such, staff are of the opinion that an adequate setback is provided in this instance.

Variance #5 pertains to a walkway attachment width. The intent of this portion of the by-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes. While Planning staff do not typically support walkway widths greater than the size of a parking space, the walkway intersects the driveway at a 90 degree angle and has a grade change delineating the driveway and walkway. Therefore staff is of the opinion that the walkway attachment cannot accommodate the parking of a vehicle and has no concerns.

Variances #6 and #7 are for setbacks to 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, while not presenting any massing concerns to neighbouring lots. Staff is of the opinion that variances #6 and #7 propose setbacks that provide an adequate buffer from the side and rear lot lines. The proposed setbacks are not out of character, as similar deficiencies for accessory structures can be found in the immediate neighbourhood. Furthermore, no additional variances are requested, such as structure height and size, mitigating any potential massing concerns.

As such, staff are satisfied 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?

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, represent existing conditions for the lands, and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Connor DiPietro, 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 by our Development Construction Section through the future Building Permit Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1187. 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner