

City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A753.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-03-09 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 porch proposing:

1. A porch area of 35.30sq m (approx. 379.97sq ft) whereas By-law 0225-2007, as amended, permits a maximum porch area of 20.00sq m (approx. 215.28sq ft) in this instance;
2. A porch height of 3.525m (approx. 11.56ft) whereas By-law 0225-2007, as amended, permits a maximum porch height of 3.00m (approx. 9.84ft) in this instance;
3. A total lot coverage of 41.60% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance and,
4. A rear porch lot coverage of 9.60% whereas By-law 0225-2007, as amended, permits a maximum rear porch lot coverage of 5% in this instance.

Background

Property Address: 5396 Holllypoint Ave

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

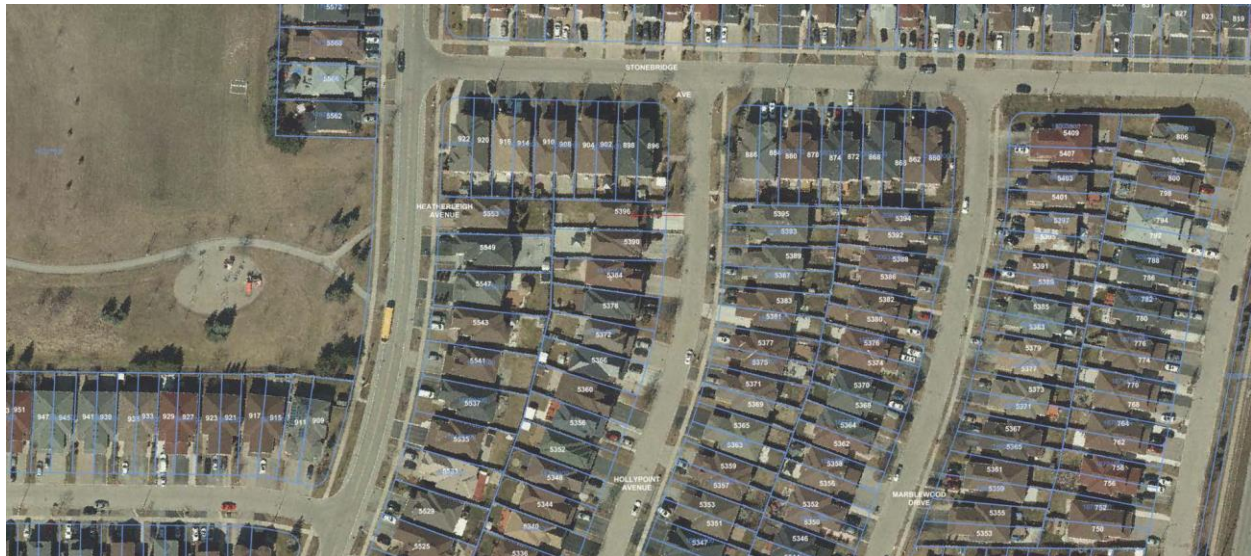
Zoning: R5- Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Mavis Road and Bristol Road West intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative features are present in both the front and rear yards. The surrounding area context is exclusively residential, consisting of a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing an enclosed porch requesting variances for floor area, height, and 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

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. Planning staff are satisfied that the proposal is appropriate given the existing site conditions and will not impact the larger character area. Staff are therefore 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?

Variances 1, 2 & 4 relate to the proposed porch, labelled as a cabana on the drawings, which the agent has claimed is being interpreted as 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. Planning staff are satisfied that the single storey structure will not pose significant massing impacts to the abutting properties and maintains an appropriate outdoor amenity area in the rear yard. Furthermore no variances have been requested for setbacks, limiting the impacts to abutting properties.

Variance 3 requests an increase to the overall lot coverage for the subject property. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Planning staff are satisfied that the proposed increase is minor in nature and does not represent an overdevelopment of the subject property.

Given the above, Planning staff are 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 the impacts of the requested variances, both individually and cumulatively, will be minor in nature. Furthermore staff are satisfied that the proposal represents appropriate development of the subject property.

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 proposed addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained. It should be noted that there is an existing catch basin in the rear of the property which accommodates drainage from this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services