

City of Mississauga Department Comments

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| Date Finalized: 2023-07-05 | File(s): A753.22 |
| To: Committee of Adjustment | Ward: 6 |
| From: Committee of Adjustment Coordinator | Meeting date:2023-07-13 3:30:00 PM |

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

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

1. A walkway connecting to driveway with a width of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a maximum width of 1.50m (approx. 4.92ft) in this instance;
2. A porch height of 3.576m (approx. 11.73ft) whereas By-law 0225-2007, as amended, permits a maximum porch height of 3.00m (approx. 9.84ft) in this instance;
3. A rear porch area of 32.00sq m (approx. 344.45sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq m (approx. 107.64sq ft) in this instance;
4. A landscape setback to hard surface of 0.305m (approx. 1.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
5. A total lot coverage of 41.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance.

Amendments

We advise that the variances should be amended as follows:

1. A walkway connecting to driveway with a width of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a maximum width of 1.50m (approx. 4.92ft) in this instance;
2. A landscape setback to hard surface of 0.305m (approx. 1.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
3. A total lot coverage of 41.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance.

Variance 2 and 3 are not required.

Background

Property Address: 5396 Hollypoint Ave

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

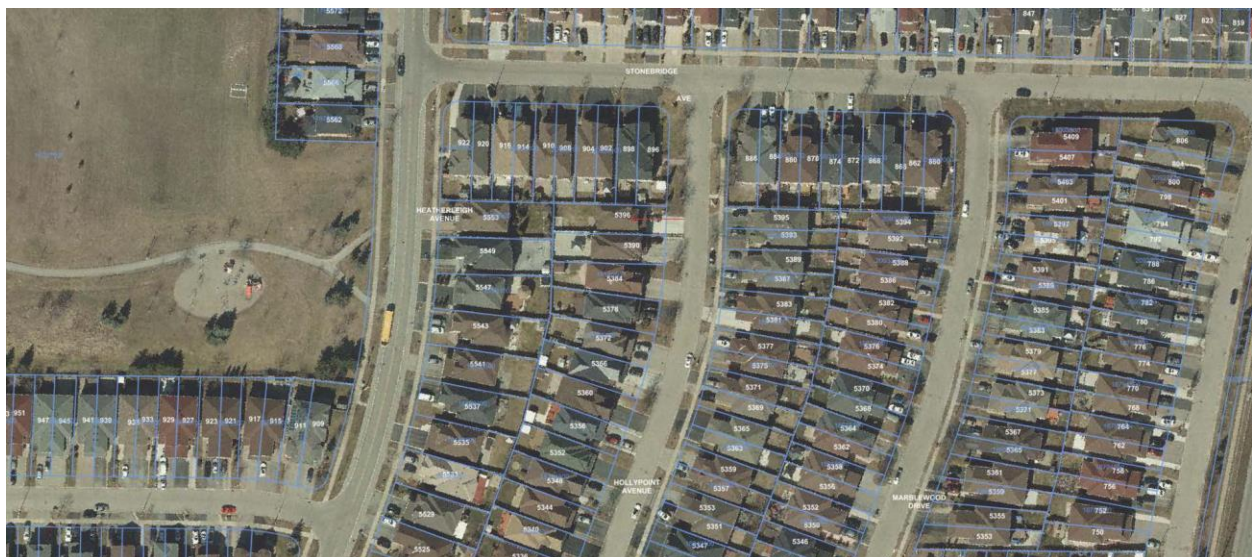
Zoning: R5- Residential

Other Applications: BP 9ALT 23-5956

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, lot coverage and an increase in walkway width.



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?

Variance 1 requests an increase in the walkway width. The intent of the walkway attachment regulations are 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. Staff are satisfied that the proposed walkway attachment will not facilitate vehicular movements or accommodate additional parking.

Variance 4 relates to the landscape setback to a hard surface and variance 2 relates to the replacement of the existing hardscaping in both the side and rear yards. The intent of the hardscaping setback regulations is to ensure that appropriate drainage patterns can be maintained. Staff note that Transportation and Works staff have raised no drainage concerns surrounding this variance.

Variance 5 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.

Zoning staff have determined that variances 2 and 3 are not required.

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: Shivani Chopra, Planner in Training

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 (covered porch) 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 provided that the existing drainage pattern be maintained where drainage is directed to the existing catch basin located at the rear of the property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-5956. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A walkway connecting to driveway with a width of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a maximum width of 1.50m (approx. 4.92ft) in this instance;
2. A landscape setback to hard surface of 0.305m (approx. 1.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
3. A total lot coverage of 41.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance.

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: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner