

City of Mississauga Department Comments

Date Finalized: 2023-08-16	File(s): A184.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-08-24 1:00:00 PM

Consolidated Recommendation

The City has no objection to variances # 1, 2 and 4, and recommends refusal of variance #3.

Application Details

The applicant requests the Committee to approve a minor variance to allow a dwelling proposing:

1. A car-port and garage whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;
2. A car-port encroachment into the setback of 1.08m (approx. 3.54ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
3. A circular driveway on a lot with a lot frontage of 20.60m (approx. 67.59ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) for a circular driveway in this instance; and,
4. A building depth of 23.81m (approx. 78.12ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 1502 Haig Blvd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: Building Permit application under file BP 9NEW 22-2031.

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of the Haig Boulevard and South Service Road intersection. The immediate area entirely consists of one and two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with vegetation throughout the lot.

The applicant is proposing an addition requiring variances for a carport, circular driveway and dwelling depth.



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 are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings.

The applicant is proposing a car-port and detached garage where only one is permitted (variance #1). Staff identified concerns with this variance in their previous report, as the survey provided by the applicant showed an additional existing “frame garage” on the subject property. Therefore three parking structures/buildings were proposed. Staff note that the applicant has removed the attached garage from the original proposal. As such, staff are no longer concerned with this variance, as the car-port is a primarily open structure with little massing and the detached garage

is existing. Therefore, the detached garage will not add any additional massing to the site and it is located deep into the lot, away from the street, in the rear yard.

Staff also note that the applicant has reduced the size of the proposed circular driveway and no longer requires a variance for soft landscaping.

The “frame garage” was interpreted as an accessory structure by the applicant previously, and therefore required additional variances for individual and combined accessory structure area. Staff note that the applicant is now interpreting the structure as a garage and is no longer requesting relief from these regulations.

Planning staff are of the opinion that variance #2 represents a minor deviation from the minimum setback requirement and is negligible.

Transportation and Works staff have identified traffic concerns with the proposed circular driveway (variance #3). Planning staff continues to echoes these concerns and recommends refusal of this variance.

Variance #4 is for dwelling depth. Staff note that a majority of the dwelling’s depth is existing. The proposed addition will add approximately 5.5m (18ft) of additional depth to the dwelling. The proposed addition exceeds minimum setback requirements to the lot line, providing an additional buffer from neighbouring lots. Lastly, the dwelling does not require relief from any lot coverage or height regulations. These variances can have the effect of exacerbating a building’s massing.

As such, Planning staff have no objection to variances #1, 2 and 4. However, Planning staff recommends refusal of variance #3.

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 car port and accessory structure are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW22/2031.

As mentioned in our previous comment for the June 14, 2023 hearing, our Traffic Planning Section does not support a circular driveway / secondary access for the subject site. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage." Consistent with Traffic Engineering best practices, the number of accesses to the municipal road network are to be minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces, clearly identify which property each driveway serves, etc. If you have any questions on this matter, please call the Technologist (Michael Turco) directly at 905-615-3200 ext. 3597.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9NEW 22-2031. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

We note that the following variances are correct as requested;

2. A car-port encroachment into the setback of 1.08m (approx. 3.54ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
3. A circular driveway on a lot with a lot frontage of 20.60m (approx. 67.59ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) for a circular driveway in this instance; and,
4. A building depth of 23.81m (approx. 78.12ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

The following variances are to be added;

-Insufficient landscape soft area within the yard containing the driveway of 23%; whereas By-law 0225-2007, as amended, requires a minimum landscape soft area within the yard containing the driveway of 40% in this instance;

-A proposed circular driveway covering more than 50% of the yard in which it is located; whereas By-law 0225-2007, as amended, permits a circular driveway to cover a maximum of 50% of the yard in which it is located, in this instance;

-Insufficient side yard setback to the proposed eave (at the carport) of 0.67m; whereas By-law 0225-2007, as amended, requires a minimum setback to the eave of 0.75m in this instance;

Lastly, staff are unable to confirm variance 1 based on the submitted information and, we note that further information is required with respect to a number of items for staff to confirm further variances.

Our comments are based on the plans received by Zoning staff on 06/22/23 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack; Zoning Examiner

Appendix 3- Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner