

City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A326.23 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 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 a new dwelling proposing:

1. A garage with an unobstructed parking length of 5.66m (approx. 18.57ft) whereas By-law 0225-2007, as amended, requires a minimum length of 6.00m (approx. 19.69ft) in this instance;
2. A below grade entrance in the front yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a front yard in this instance; and,
3. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance.

Background

Property Address: 2154 Oneida Crescent

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

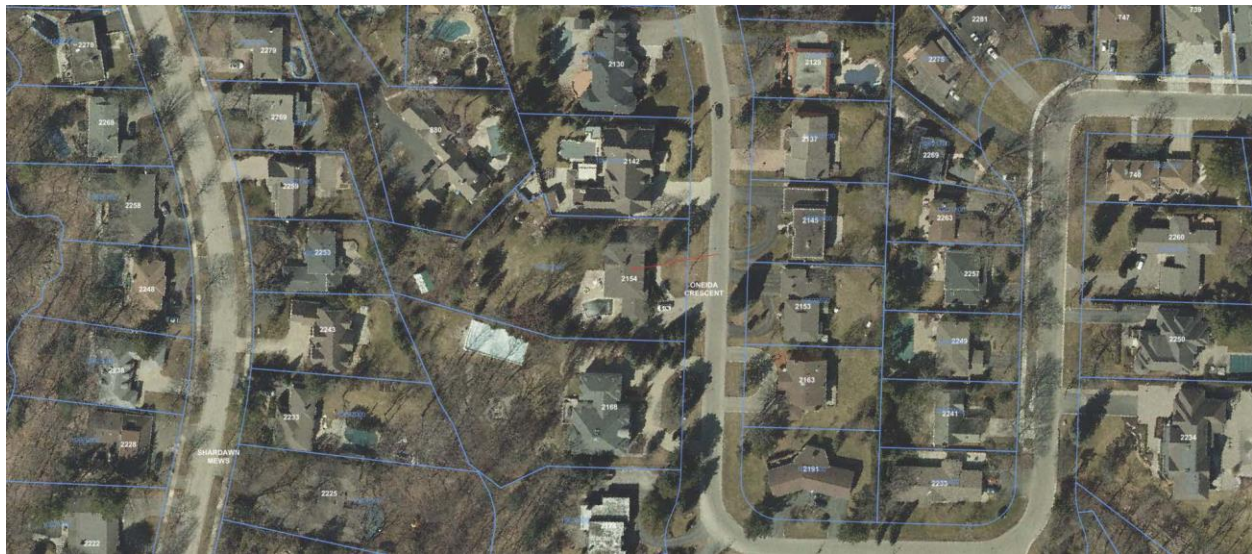
Zoning: R1-8- Residential

Other Applications: BP 9NEW 23-7316

Site and Area Context

The subject property is located south-west of the Queensway West and Stavebank Road intersection in the Erindale neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. Mature vegetation is present in both the front and rear yards of the subject property. The surrounding context is exclusively residential, consisting of detached dwellings on large lots with mature vegetation.

The applicant is proposing a new dwelling requiring variances for garage parking length, below grade entrance in the front yard and number of garages.



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 within the Erindale 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 proposed dwelling conforms to the designation and staff are of the opinion that the proposed built form appropriately balances the planned character of the area and the existing built form of the surrounding context. 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 relates to the interior parking space size within the carport. The intent of this provision is to ensure the carport can accommodate the parking of atypical vehicles entirely within the carport. Staff note that the requested depth of the carport is larger than a legal parking space in the City and that, despite the proposed reduced area, the garage will maintain the ability to provide parking for vehicles of average length.

Variance 2 relates to a below grade entrance in the front yard. The intent of the zoning by-law in limiting stairwells in the front yard is to ensure the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in the front yard, which is sufficiently screened and incorporated into the design of the dwelling, mitigating its impact on the streetscape. Staff note the below grade entrance is appropriate and compatible with the surrounding context.

Variance 3 relates to the two garages (one garage, one carport) in the proposal, which exceeds the permissions provided in the by-law. The intent in restricting the overall number and individual size of an attached garage is to ensure that the detached dwelling remains residential in nature, keeping the majority of the structure's ground floor area attributed to livable space. Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple or excessive garage faces from a streetscape perspective. The visual impact is minimized as the exterior façade of the attached garage door blends in with the dwelling's exterior façade, masking the appearance of the garage door. Further, the combined width of the attached garage and carport gives the appearance of a three car garage, which is permitted and appropriate for a lot this size. Staff has no concerns with the garage and carport proposed.

Given the above, staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

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

The request as proposed represents appropriate development of the lands with a dwelling that is well designed for the lot. It is the opinion of staff that the proposal presents no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances are minor in nature.

Comments Prepared by: Daniel Grdasic, 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 new dwelling will be addressed through the Building Permit Process.

It should be acknowledged that there is an existing 15 ft. (4.57M) storm sewer easement (By-law No. 4635, Instrument No. BL 868) which contains a 1500mm storm pipe across the southerly limits of the proposed dwelling. The owner is advised that there is to be no encroachment into this existing easement. In this regard we note that the Site Plan Drawing submitted indicates that a future sports court is being proposed at the front of this dwelling which traverses and encroaches into the limits of the existing easement and are advising that and no encroachment into the easement would be permitted.

Comments Prepared by: Joe Alava, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 23-7316. Based on review of the information currently available in this permit application, the variances, as requested are correct. Staff note that the garage does not show an EV ready parking space. As of June 8, 2023, all new detached dwellings require an EV parking space. The applicant either will need a variance or will need to provide a letter, signed and sealed by an electrical engineer confirming the design of the energized outlet meets, at a minimum, Level 2 electric vehicle charging criteria as defined by SAE International's J1772 standard.

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: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-326M / 2154 Oneida Crescent

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Minor Variance: A-23-326M / 2154 Oneida Crescent

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner