

City of Mississauga Department Comments

Date Finalized: 2023-10-04	File(s): A337.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-10-12 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

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

1. A distance from the first floor front wall to the garage exterior wall of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, permits a maximum distance of 0m in this instance; and,
2. To maintain the existing location of the A/C in the front yard whereas By-law 0225-2007, as amended, does not permit this in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6102. Based on review of the information currently available in this permit application, should the Committee see merit in the application, Planning and Zoning staff advise that the variances should be amended as follows:

1. To permit a projection of the garage beyond the front wall of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, permits a maximum projection of 0.0m (0.0ft) in this instance; and,
2. To maintain the existing location of the A/C Unit in the front yard whereas By-law 0225-2007, as amended, does not permit an A/C Unit in the front yard; in this instance

Background

Property Address: 1800 Delaney Drive

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1- Residential

Other Applications: Building Permit under file BP 9ALT 23-6102.

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, east of the Clarkson Road North and Truscott Drive intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with vegetation in the front yards. The subject property contains a one and a half storey detached dwelling with significant vegetation in the front and exterior side yard.

The variance request is for an addition to the existing detached dwelling requiring a variance for garage projection and A/C unit location.



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 located within the Clarkson-Lorne Park Neighbourhood, and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

The requested variances pertain to garage projection and location of the existing A/C unit.

Variance #1 relates to garage projection. The intent of the zoning by-law is to maintain a consistent streetscape while ensuring the garage is not the dominant feature of the dwelling. Staff note that the garage projection represents an existing condition and that the applicant is proposing to build a second storey of livable area over the existing one-storey attached garage. The second storey of the dwelling projects the same distance as the garage, thereby bringing the principle dwelling inline with the garage. Staff are of the opinion that the garage is no longer emphasized and is visually concealed within the dwellings envelope.

Variance #2 relates to an A/C unit. The subject property is a corner lot and the variance is required due to the positioning of the dwelling on the lot. Staff note that the façade of the dwelling faces the exterior side yard fronting onto Delaney Drive. In this case, the A/C unit is located behind the dwelling in an area that functions as a rear yard. The A/C unit does not contain massing, has an approximate setback of 18m (59.1ft) from the front lot line and 3.65m (11.98ft) from the side lot line. The impact of the A/C unit is negligible.

As such, staff are of the opinion that the applicant's proposal is sympathetic to the surrounding area, is technical in nature, and does not impact the neighbouring properties. Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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 are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-23/6102.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6102. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. To permit a projection of the garage beyond the front wall of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, permits a maximum projection of 0.0m (0.0ft) in this instance; and,
2. To maintain the existing location of the A/C Unit in the front yard whereas By-law 0225-2007, as amended, does not permit an A/C Unit in the front yard; 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

Minor Variance: A-23-337M – 1800 Delaney Dr

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.

Comments Prepared by: Patrycia Menko, Junior Planner