

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A26.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A projection of the garage face of a detached garage beyond any portion of the first floor front wall or exterior side wall of 4.97m (approx. 16.31ft) whereas the By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. A driveway width of 5.50m (approx. 18.04ft) whereas the By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and,
3. A sloped roof height of 5.84m (approx. 19.16ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 4.60m (approx. 15.09ft) in this instance; and,
4. An eave height of 4.22m (approx. 13.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 7025 Pond Street

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

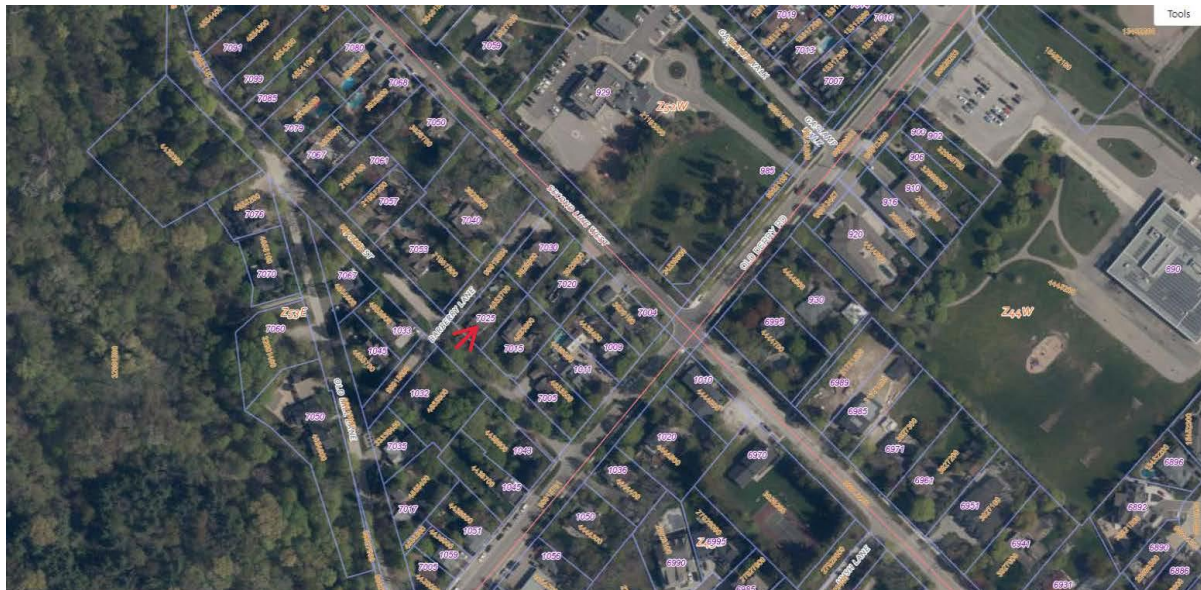
Zoning: R1-32- Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Second Line West and Old Derry Road intersection in the Meadowvale Village Neighbourhood Character Area. It is a corner lot and currently contains a one and a half-storey detached dwelling with a one-storey detached garage in the rear yard. It has an approximate lot area of +/- 809.34m² (8,711.66ft²) and a lot frontage of 20.25m (66.43ft). Mature vegetation exists throughout the subject property and the grade slopes severely from rear of the lot to the front. The surrounding context is predominantly residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing the construction of a two-storey detached garage in the exterior side yard requiring variances for a projection of the garage face, driveway width and garage height.



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 note the application was deferred at the January 18th, 2024 Committee of Adjustment hearing due to staff concerns regarding the proposed height of the detached garage and to identify if additional variances were required.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings.

Section 16.17.2.9 of the MOP, (Meadowvale Village Neighbourhood policies), states the presence of garages should be minimized to create an attractive streetscape. Garages should not project substantially beyond the front face of any house. Variance 1 requests an increased garage projection. The intent of the zoning by-law regulation is to maintain a consistent streetscape while ensuring the garage does not become the dominant feature of the dwelling. Staff note the proposed detached garage faces the flanking street and is positioned on the subject property in an appropriate area which will not negatively impact the streetscape. Staff are satisfied that the design does not over-emphasize the garage and the impact of the projection in the exterior side yard is mitigated by the existing vegetation on the subject property and neighbouring properties.

Variance 2 requests an increase in driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the exterior side yard being soft landscaping. Staff note the increase in driveway width is to permit access to and from the proposed double car garage. Staff are of the opinion that the driveway width is not excessive and is large enough to suitably accommodate the required number of parking spaces for the dwelling. Additionally, the remainders of lands in the exterior side yard will maintain the required soft landscaping ratio.

Variances 3 and 4 request an increase in height and eave height. The intent of restricting height of accessory structures is to keep them in appropriate size and scale to the main dwelling. The applicant has worked with staff to revise the proposed detached garage to address height concerns raised during the first submission. Originally, the proposed detached garage appeared taller than the primary dwelling on the subject property due to the topography of the site which positioned the garage on a portion of the property with a higher elevation. Staff are satisfied that the proposed increase is minor in nature and will not create any additional undue impacts to the streetscape or abutting properties. The proposed detached garage height is in line with the primary dwelling which ensures the garage does not become the dominant feature of the dwelling.

Under a previous application (A327.14), the Committee approved an exterior side yard setback of 6.05m (19.85ft) for the existing detached garage. While planning staff are not in a position to interpret the zoning by-law, it appears that based on the drawings provided, the applicant will require an additional variance for an exterior side yard setback to the proposed detached garage of 2.86m (9.38ft). Staff have contacted the applicant to ensure they are aware of the missing

variance. The applicant has confirmed they will amend the application on the hearing date to include the exterior side yard variance. Staff have also suggested that the applicant contact zoning staff to confirm if any additional variances are required.

Staff are of the opinion that the proposed detached garage represents appropriate development of the subject lands and meets the general intent and purpose of the official plan and zoning by-law. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering

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 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.

2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4– Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner