

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A425/19 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City recommends that variance #3 be refused, however, have no objections to the remaining variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a rear covered patio on the subject property proposing:

1. A lot coverage of 47.29% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. A rear yard of 5.80m (approx. 19.03ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 10.32m (approx. 33.86ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
4. A walkway width of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1259 Haig Boulevard

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: 19-7407

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, situated west of Dixie Road and north of Atwater Avenue. The surrounding area consists predominantly of single detached dwellings with little mature vegetation. Further south of the subject property are semi-detached and townhouse dwellings. The subject property contains a two storey dwelling with no mature vegetation. The application proposes a rear covered patio requiring variances related to lot coverage and rear yard setback.

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 increased lot coverage and deficient rear yard setback is due to a rear covered porch. As the porch is open on three sides, the massing impact to neighbouring properties is minimized. However, the driveway width proposes a significant increase in hard surfacing within the front yard, limiting the overall amount of soft landscaping which is not in keeping with the surrounding area. Staff is of the opinion that variance #3 does not maintain the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The increased lot coverage and deficient rear yard setback is due to the rear covered porch. The dwelling maintains a rear yard setback of 10.51 m, exceeding by-law requirements; however, the proposed setback of 5.80 m is measured to the post of the covered porch. The rear covered porch also makes up approximately 10% of the total lot coverage, however does not add significant massing to the dwelling. The dwelling itself maintains an existing coverage of approximately 36%. Furthermore, the proposed walkway attachment is a minor deviation from the zoning by-law and does not allow for vehicular access. As such, staff is of the opinion that variances #1, 2 and 4 are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

Variance #3 proposes a driveway width of 10.32 m whereas a maximum of 6 m is permitted. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of the front yard lands being soft landscaping. In this instance, the configuration of the driveway width significantly increases the amount of hard surfacing within the front yard to allow for additional vehicular parking at the expense of soft landscaping. It should be noted that a minimum of 40% soft landscaping is required within the front yard. The increased hard surfacing does not represent the existing and planned context of the surrounding neighbourhood. Staff is of the opinion that the variance does not maintain 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 increased driveway width does not maintain the existing and planned character streetscape as the application proposes a significant increase in hard surfacing to allow for additional vehicular parking without sufficient soft landscaping. The surrounding neighbourhood generally contains hard surfacing large enough to suitably accommodate the required number of vehicles while preserving a sufficient amount of soft landscaping within the front yard. As such, staff is of the opinion that variance #3 does not represent orderly development of the lands and is not minor in nature.

Conclusion

The Planning and Building Department recommends that variance #3 be refused, however, have no objections to the remaining variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached are photos where the covered patio is to be constructed. We ask that the roof structure be equipped with an eaves trough and downspout directed in such a manor as to not impact the adjacent lots.

Also, we understand that our Development Construction Section had been on site with the initial Building Permit application. The applicant has been instructed to reinstate the swale along the rear property limit which was intended to accept the surface drainage from the lot to the north (1261 Haig Blvd.) in order for the surface drainage to reach the existing catch basin on the applicant's property.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7407. 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 variances or determine whether additional variances will be required.

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

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Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner