

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A592.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/23/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

Application Details

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

1. A front yard setback of 6.09m (approx. 19.98ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
2. A front yard setback to the porch of 5.10m (approx. 16.73ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the porch of 5.90m (approx. 19.36ft) in this instance;
3. A front yard setback to the eaves of 5.79m (approx. 19.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the eaves of 7.05m (approx. 23.13ft) in this instance; and,
4. A lot coverage of 31.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

Amendments

The Building Department is processing Building Permit application BP 9ALT 24-537. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Amend variance #4 to:

A lot coverage of 30.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

Background

Property Address: 3047 Churchill Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

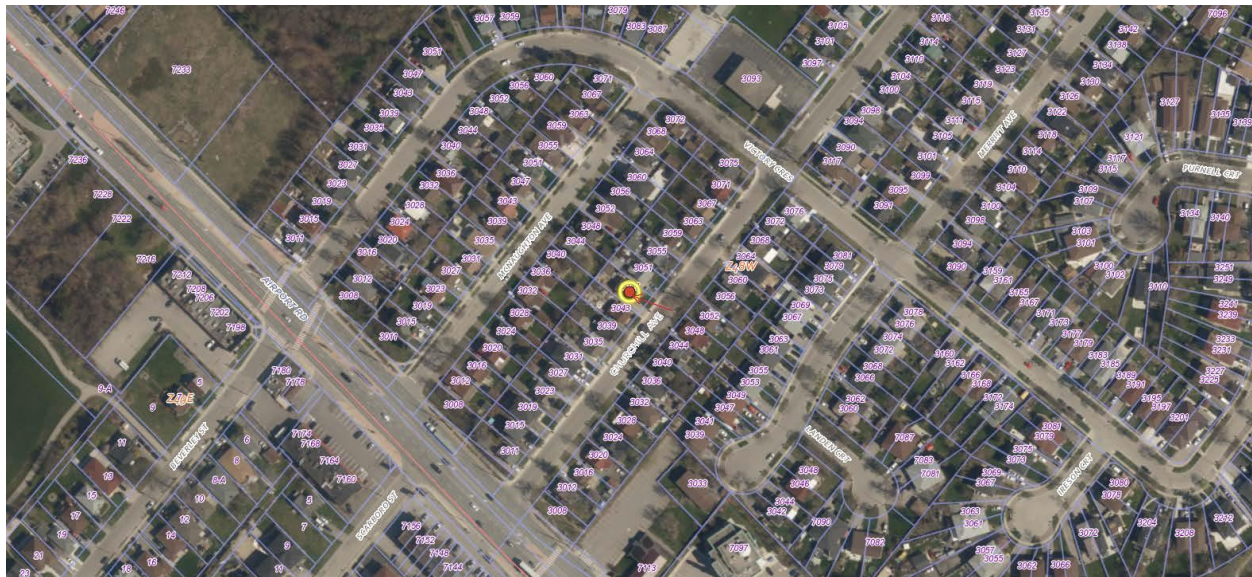
Zoning: R4-1 - Residential

Other Applications: BP 9ALT 24-537

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection in the Malton Neighbourhood. The site has a lot frontage of approximately +/- 12.19m (40ft) and a lot area of approximately +/- 371.40m² (3,997.71ft²). This portion of Churchill Avenue contains only detached dwellings, however semi-detached dwellings are present in the broader neighbourhood. The neighbourhood consists of one and two storey detached dwellings that were built when the subdivision was originally developed. While the majority of dwellings date back to the original era of development, several new builds are present in neighbourhood. Limited vegetation and landscaping materials are present on the subject property.

The applicant is proposing to construct a garage addition on the southeast corner of the dwelling, a new rear yard porch and relocating the front porch stairs requiring variances for lot coverage and front yard setbacks to the dwelling, porch and eaves.



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 designated Residential Low Density II in the Mississauga Official Plan (MOP) and is within the Malton Neighbourhood Character Area. This designation permits detached, semi-detached, and duplex dwellings. Chapter 9 of the 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. Staff note the presence of larger infill dwellings along this particular portion of Churchill Avenue. Staff are therefore satisfied that the proposal maintains the general intent and purpose of the official plan.

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

Variances 1, 2 and 3 pertain to the front yard setback. The intent of this portion of the by-law is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard amenity space is incorporated into the design of neighbourhoods. Staff have no concerns with the requested variances, as the reductions are negligible and consistent with front

yards found in the immediate area. Staff note that the reduced front yard is the direct result of relocating the porch stairs into the front yard. The proposal has limited massing impacts on abutting properties and surrounding community as the porch is not being extended and the structure is not enclosed. Staff also note that the proposed relocated stairs do not detract from the front yard amenity space. Staff are of the opinion that the reduction in the front yard is minor and consistent with the neighbourhood in this instance.

Variance 4 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note the existing dwelling accounts for approximately 18.25% of the lot coverage. The proposed attached garage addition and porches (both front and rear yard) add an additional 11.9% to the lot coverage. Staff are of the opinion the increase in lot coverage is negligible and are satisfied that the proposal does not represent an overdevelopment of the subject property. Staff are also of the opinion that increased coverage is in line with both the original and newer dwellings in the surrounding context.

Given the above, staff are satisfied that the requested variances 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?

Staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore, staff are of the opinion that the application proposes appropriate development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate

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 will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage-related concerns with the addition provided that the existing drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 24-537. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

- Lot Coverage noted on the drawings submitted for MV is not the same as the MV wording on this comment package. "Updated and corrected Cycle#8 - To permit a lot coverage of 30.15% (112.02m²); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.47m²) in this instance."

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Andrew Wemekamp, Zoning Examiner.

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner