

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A118.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

Consolidated Recommendation

The City has no objection to the variance(s), as requested. 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 new house proposing:

1. A rear yard of 6.43m (approx. 21.10ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.50m (approx. 18.04ft) in this instance;
3. A front yard measured to the garage of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance; and
4. A front yard measured to the dwelling of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Department is currently processing a site plan application under file SPI 20-7 W11. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;

Background

Property Address: 194 Wyndham Street

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The property is located north-east of the Main St and Queen St S. intersection in Streetsville; it is an interior parcel, with a lot area of approximately +/- 379.34m² and a lot frontage of approximately +/- 17.86m. The property currently houses a single storey detached dwelling with mature vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of a mix of architecture forms including an apartment building and both single storey and two storey dwellings. The immediate area properties possess lot frontages of +/- 20.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for front and rear yard setbacks.



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 Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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 detached dwelling respects the designated land use and maintains the general intent and purpose of the Official Plan.

The proposed two-storey dwelling requires variances for both reduced front yard and rear yard setbacks. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, and an appropriate amenity area is created within the rear yard. The proposed dwelling is positioned on a lot with a large slope differential between the front and rear yards. Taking this slope differential into consideration, the design of the new dwelling provides sufficient unencumbered space in the rear yard while maintaining a compatible streetscape in the front yard. Staff note, the proposed 0.0m front yard setback is a result of the existing grading of the lot and the design of the proposed dwelling necessitates a walkway extend all the way to the street-front.

The surrounding area is comprised of eclectic architecture and this minor deviation is insignificant to the neighbouring properties. Additionally there are no drainage concerns as water can free flow to the street-front with little encumbrance. Staff is 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.

Conclusion

The Planning and Building Department 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*. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, 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 dwelling are being addressed through the Site Plan Application process, File SPI-20/07.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 20-7 W11. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;

We also advised the following variances, as requested are correct:

1. A rear yard of 6.43m (approx. 21.10ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. A front yard measured to the garage of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance; and

4. A front yard measured to the dwelling of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance.

Please note that comments reflect those provided through the above site plan application submitted on 2020/12/10 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: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-118/21

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that an east portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner