

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A121.21 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 variances, as amended. 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 an addition proposing:

1. A gross floor area of 262.00sq.m (approx. 2820.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 253.22sq.m (approx. 2725.64sq.ft) in this instance;
2. A lot coverage of 27.11% (252.74sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage 25.00% (233.06sq.m) in this instance;
3. A front yard measured to the house of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the house of 9.00m (approx. 29.53ft) in this instance;
4. A front yard measured to a deck of 6.72m (approx. 22.05ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a deck of 7.40m (approx. 24.28ft) in this instance;
5. An interior side yard of 1.51m (approx. 4.95ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard 1.80m (approx. 5.91ft) in this instance;
6. An interior side yard measured to a garage of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a garage of 4.20m (approx. 13.78ft) in this instance;
7. A rear yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
8. A rear yard measured to an open porch of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
9. A combined width of side yards of 3.31m (approx. 10.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.44m (approx. 27.69ft) in this instance;

10. A building height measured to the highest ridge of 7.88m (approx. 25.85ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 7.50m (approx. 24.61ft) in this instance; and
11. A building height of a garage of 5.41m (approx. 17.75ft) whereas By-law 0225-2007, as amended, permits a maximum building height of a garage of 4.60m (approx. 15.09ft) in this instance.

### **Amendments**

The Building Department is currently processing a SPI permit under file 20-85. Based on a review of the information currently available, we advise that the following variances should be added:

12. A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
13. A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) in this instance;

## **Background**

**Property Address:** 7076 Old Mill Lane

### **Mississauga Official Plan**

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

### **Zoning By-law 0225-2007**

**Zoning:** R1-32 - Residential

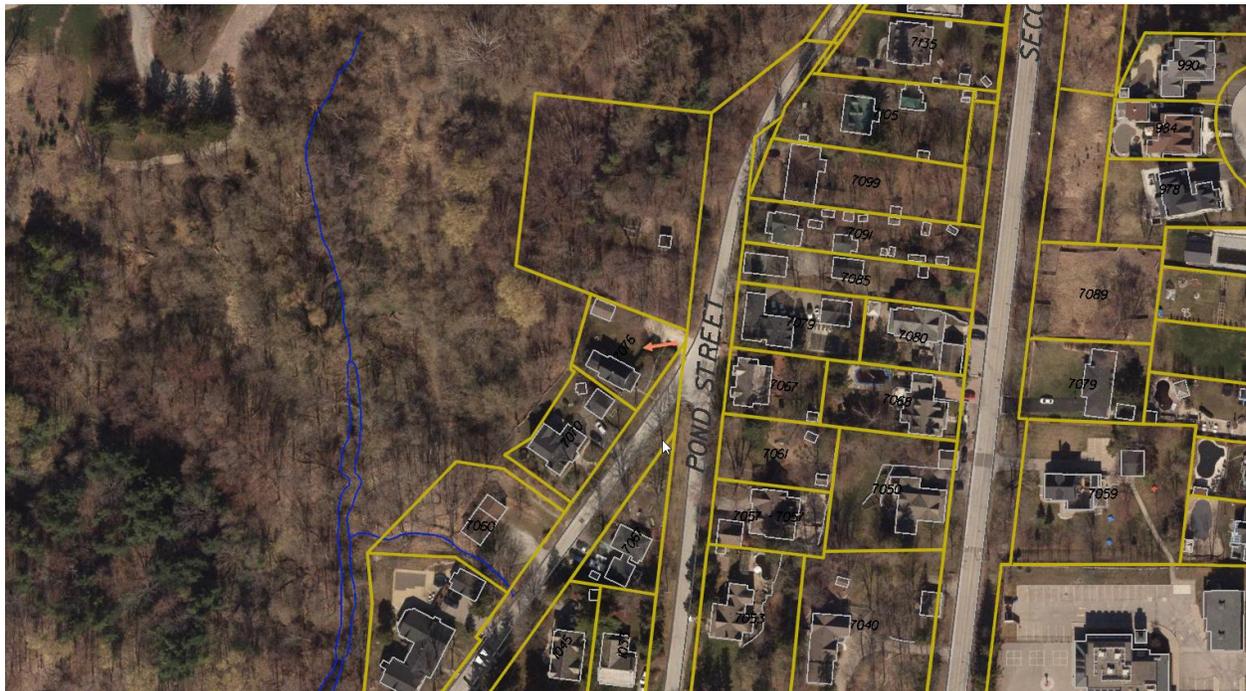
**Other Applications:** SP 20-85

### **Site and Area Context**

The property is located within the Meadowvale Village Heritage Conservation District and north-west of the Old Derry Rd and Old Mill Lane intersection. It is an exterior parcel, with a lot area of approximately +/- 932.24m<sup>2</sup> and a lot frontage of approximately +/- 31.27m. The property currently houses a two-storey detached dwelling with mature vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists

of a mixture of architectural forms, including single storey detached, two-storey detached and semi-detached homes. Within the immediate area properties possess lot frontages of +/- 35.0m, with matured vegetation scattered throughout and landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for gross floor area and lot coverage; as well as front, side and rear yard setbacks and building height.



The subject property is located within the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex dwellings, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. 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.

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

Variance #1 and #2 as requested pertain to gross floor area and lot coverage:

The intent in restricting lot coverage and gross floor area (GFA) is to ensure that there isn't an overdevelopment of the lot and to maintain compatibility between existing and new dwellings within the surrounding neighbourhood. The proposed increase in lot coverage and GFA is an insignificant deviation from what is permissible under the zoning by-law and will pose no impacts to the surrounding neighbourhood. The dwelling currently sits at the end of the street and backs onto a vacant land owned by the Credit Valley Conservation Authority (CVC). The proposed increase to the overall lot coverage and GFA that includes the addition, the detached garage and porch is negligible and maintains the general intent and purpose of the by-law.

Variance #3 - #9 as requested pertain to front, rear and side 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 proposed front yard of 7.71m whereas 9.0m is required and the proposed front yard measured to a deck of 6.72, whereas 7.40m is permitted under the zoning by-law is marginal and possesses a similar setback to an existing structure on the adjacent property. Additionally this setback is measure to the existing dwelling that was originally built circa 1930, and comparable to the other heritage dwellings within the immediate area built at a similar time.

The general intent of a side yard and rear yard setback is to ensure that an adequate buffer exists between the massing of the primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. While the applicant has proposed a significant reduction to the rear and south side yard of the property, the rear yard can still be accessed from both sides of the property and there is a sufficient amount of space for drainage. The applicant has proposed a screened porch which has cause the yard reduction. The redevelopment will demolish the existing detached garaged, opening up the north side of the rear yard and provide adequate amenity space in the rear yard. Additionally, there are a number of trees on the south side of the property creating a visual buffer between abutting properties lessening any massing concerns.

Planning Staff are of the opinion that variances #3 - #9 are minor in nature and maintain the general intent and purpose of the zoning by-law.

Furthermore, the Building Department is currently processing a site plan application under file SP 20-85. Based upon review of this application, planning staff are in agreement with Zoning's comments and recommend that additional variances be added:

12. A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
13. A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) in this instance;

This department has no objection to the additional variances should the applicant wish to proceed with them. Based on a through review of the surrounding area, staff are of the opinion that the additional variances will not undermine the character of the neighbourhood. The variances, as amended, result in both the orderly development of the lands, and whose impacts are minor in nature. 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.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

While the Applicant is required to seek relief from multiple portions of the By-law, when viewed either individually or collectively, these are nominal in nature, and do not pose significant negative impacts. Through a detailed review, Staff is of the opinion that the application raises no concerns of a planning nature.

## **Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as amended. 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 SP-20/85.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file 20-85. Based on review of the information, currently available in this permit application, we advise that the variances should be amended as follows:

Comments 1-11 will be remain and comments # 12 and # 13 will be added.

- 12 A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance and;
- 13 A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) 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: Sherri Takaloo Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the minor variance application and has no objections:

Should the application be approved, Community Services notes the following:

- The lands adjacent to the property are owned by the Credit Valley Conservation Authority (CVC) and leased by the City of Mississauga, identified as Meadowvale Conservation Area (Park #328) and within the Significant Natural Area. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,...., grading, landscaping....;
- Tree preservation hoarding and securities may be required as part of the site plan control process.

- Stockpiling of construction materials and encroachment in the adjacent park is not permitted. Construction access from the park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca).

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

Minor Variance Application: A-121/21

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

Please be advised that a west portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Area - Woodland and a Core Area - Valley Corridor of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems 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