

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-09	File(s): A225.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-17 1:00 PM

Consolidated Recommendation

The City has no objections to the requested 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 applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A gross floor area – infill residential 312.40sq.m (approx. 3362.65sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area – infill residential of 296.74sq.m (approx. 3194.08sq.ft) in this instance;
2. A side yard measured to a second storey of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a second storey of 1.81m (approx. 5.94ft) in this instance; and
3. A combined width of side yards of 2.42m (approx. 7.94ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance.

Background

Property Address: 221 Troy Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

Other Applications

Pre Application: 21-5211

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Eaglewood Boulevard. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with little vegetation. The subject property contains an existing one storey detached dwelling with no mature vegetation.

The applicant is proposing a second storey addition requiring variances related to gross floor area and a deficient side yard and combined side yard width setback.



Comments

Planning

City Department and Agency Comments	File:A225.21	2021/06/09	3
-------------------------------------	--------------	------------	---

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 Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 16.18.1 of the Mineola Neighbourhood Character Area policies states, new housing is encouraged to fit the scale and character of the surrounding area. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole, maintaining the character of the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a gross floor area of 312.40 m² whereas a maximum of 296.74 m² is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings, ensuring the existing and planned character of a neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, including having a portion of the second storey built within the roofline. This results in the overall massing of the dwelling being minimized to the streetscape and neighbouring properties. The proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the established character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances relate to existing conditions. The second storey does not project further than the existing building footprint. The reduced side yard setback is only measured on the easterly side yard of the dwelling. The westerly side yard maintains required setback. Additionally, the combined side yard width setback measured from the widest point exceeds by-law requirements. Staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature, in this instance.

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

The proposed addition maintains the existing and planned context of the surrounding area and does not pose a negative impact to the existing character of the neighbourhood. The dwelling contains features that break up the overall structural massing which maintains compatibility with newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested 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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Site Plan process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review under file PREAPP 21-5211. Based on review of the information currently available in this permit application, the variances, as requested are correct. However, more information has been requested to verify the maximum height of eaves and lot coverage, which may require additional variances, that can't be confirmed at this time.

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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner