

City of Mississauga Department Comments

Date Finalized: 2021-09-28	File(s): A382.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 3:00:00 PM

Consolidated Recommendation

The City 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.

Application Details

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

1. A setback measured to an enclosed addition of 4.28m (approx. 14.04ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to an enclosed addition of 6.00m (approx. 19.69ft) in this instance; and
2. A setback measured to a porch of 2.14m (approx. 7.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a porch of 4.40m (approx. 14.44ft) in this instance.

Background

Property Address: 1243 Melba Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Low Density Residential I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Planning Applications: None

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northwest of Dixie Road and North Service Road. The neighbourhood is entirely residential consisting of old and new one and two storey detached dwellings on lots with mature vegetation in the front yards. The subject property has a two storey detached dwelling with landscape elements in the front and exterior side yards.

The application proposes an addition, requiring variances for 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 of the four tests to this minor variance request are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. The applicant is proposing a setback measured to an enclosed addition of 4.28m (Approx. 14.04ft), where a minimum setback of 6.00m (Approx. 19.69ft) is required, and a setback measured to a porch of 2.14m (Approx. 7.02 ft) when a minimum setback of 4.40m (Approx. 14.44 ft) is required. Variances 1 and 2 are located in the exterior side yard. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing. In this case the variances abut the public realm. With respect to Variance #1, staff has conducted a thorough review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the neighbourhood. With respect to Variance #2, the porch does not present any massing concerns. The wide city boulevard also provides additional buffering between the dwelling's massing and the travelled portion of the road, further mitigating any potential impact. It is Staff's opinion that the proposed setbacks are sympathetic to the surrounding area and will have a negligible impact on the neighbouring properties. Through a detailed review of the application, 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.

Comments Prepared by: Connor DiPietro, 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 will be addressed through the Building Permit process, File BP 9ALT 21/5797.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-5797. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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