

# City of Mississauga Department Comments

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| Date Finalized: 2021-09-28                | File(s): A390.21<br>Ward: 8           |
| To: Committee of Adjustment               |                                       |
| From: Committee of Adjustment Coordinator | Meeting date:2021-10-07<br>3:00:00 PM |

## Consolidated Recommendation

The City has no objection to the variances, 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 an addition proposing:

1. A lot coverage of 26.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. A front yard measured to a dwelling of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, requires a minimum front yard measured to a dwelling of 12.00m (approx. 39.37ft) in this instance;
3. A front yard measured to measured to a porch of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 10.40m (approx. 34.12ft) in this instance; and
4. A front yard measured to the front porch eaves of 8.95m (approx. 29.36ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch eaves of 9.95m (approx. 32.64ft) in this instance.

## Background

**Property Address:** 3650 Walnut Grove Road

### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Low Density Residential I

**Zoning By-law 0225-2007****Zoning: R1-7 - Residential****Other Planning Applications:** Building Permit 9ALT 215103**Site and Area Context**

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of Erin Mills Parkway and Burnhamthorpe Road West. The neighbourhood is primarily residential, large one and two storey-detached dwellings on deep lots with significant mature vegetation in the front, rear and side yards. The subject property contains a one storey single detached dwelling with mature vegetation in the front yard.

The application proposes an addition requiring variances related to lot coverage and front yards.

**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 site is located within the Erin Mills Neighbourhood Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I 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 existing residential dwelling is permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variance # 1 pertains to lot coverage. The applicant is proposing a lot coverage of 26.30% when a maximum lot coverage of 25% is permitted. Staff note that approximately 23% of the lot coverage is attributed to the dwelling's footprint, which is under the maximum requirement, and that the variance requested is required to accommodate the proposed covered deck and porch. This variance raises no concerns of a planning nature. Furthermore, the Increase in lot coverage proposed is marginal.

Variances #2, 3 and 4 pertain to the front yard. 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. Variance #2 is existing and will not pose any further impact from what exists today. Variances #3 and 4 are to accommodate the proposed covered porch. The front yard setback to the proposed covered porch is generally in line with the neighbouring dwellings, presenting a consistent streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed addition generally maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. As a result, the proposed addition will ensure the existing dwelling maintains compatibility with dwellings in the immediate area. Staff is of the opinion that the application represents orderly development of the lands and is minor in 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 addition will be addressed through the Building Permit process, File BP 9ALT 21/5103.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A

minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

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