

City of Mississauga Department Comments

Date Finalized: 2021-09-29	File(s): A384.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 1:00:00 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. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that all required variances have been identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a dwelling depth of 21.25m (approx. 69.72ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 23 Earl Street

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

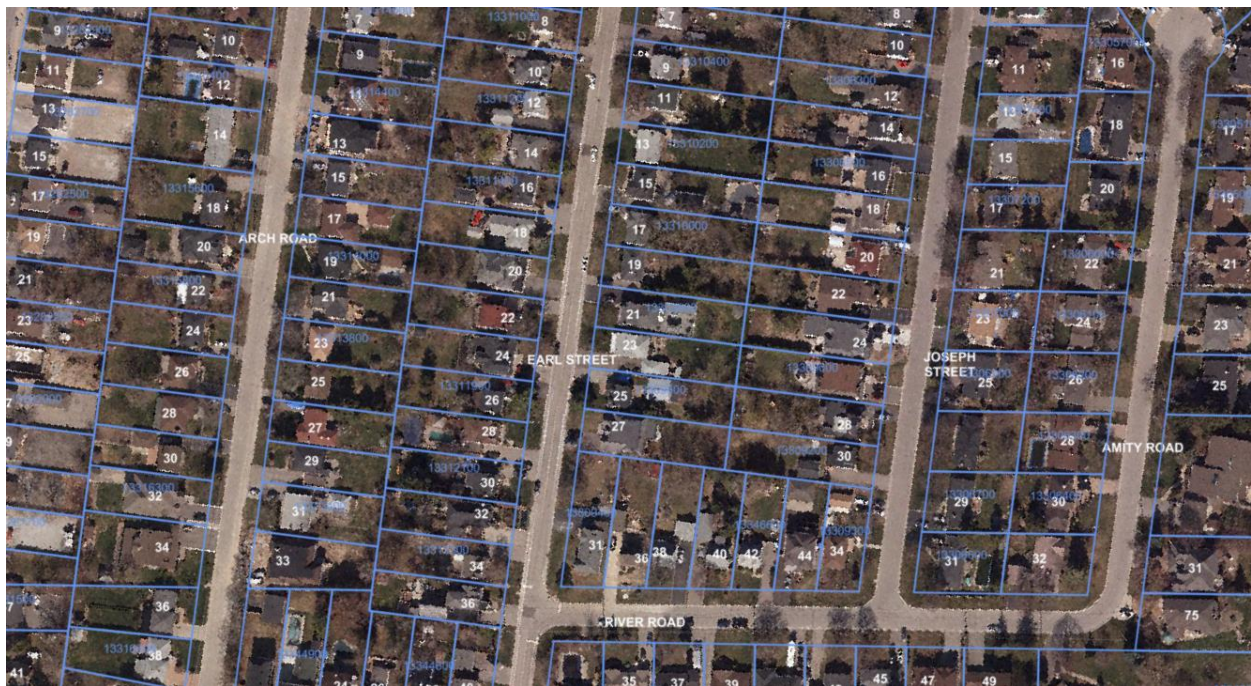
Zoning: R3-69 - Residential

Other Applications: BP 9NEW 21-5744

Site and Area Context

The subject property is located south-east of the Britannia Road West and Queen Street South intersection in the Streetsville Neighbourhood. It has a frontage of 15.24m (50.0ft) and a lot area of 827.5m² (8,907.1ft²). A building permit has been issued on the property for the construction of a two storey detached dwelling with an attached garage. Limited vegetation is present towards the rear of the site. The surrounding context consists exclusively of one and two storey detached dwellings with a mix of original dwellings and new construction.

The applicant is proposing a rear balcony on the new dwelling requiring a variance for dwelling depth.



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 located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

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 intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Staff have completed a review of the application and note the impact of the balcony on the massing of the property is minimal when compared to as-of-right permissions. Staff are of the opinion that the application is appropriate to be handled through the minor variance process, and that the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, 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 new dwelling (not the indicated addition) will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, 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