

City of Mississauga Department Comments

Date Finalized: 2022-01-05	File(s): A570.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. An exterior side yard setback of 5.82m (approx. 19.04ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (19.69ft) in this instance; and
2. An interior side yard setback of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 6914 Early Settler Row

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R8-1 - Residential

Other Applications: PREAPP 21-7088

Site and Area Context

The subject property is located south-west of the Second Line West and Old Derry Road intersection in Meadowvale Village. It is a corner lot containing a detached dwelling with an attached garage. The property has a lot area of +/- 661.16m² (7,116.69ft²) and a lot frontage of +/- 19.12m (62.73ft). Limited vegetation and landscaping elements exist in both the front and rear yards. The surrounding area context is exclusively residential, containing a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing an addition requiring variances for interior and exterior side yard 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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 addition does not impact the property's permitted use as a detached dwelling and generally maintains the existing form of the building by only building out from the existing roofline. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

Both requested variances relate to a reduction in the side yards. The general intent of interior side yard regulations in the by-law are to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The general intent of exterior side yard regulations in the by-law are to ensure that an adequate buffer exists between a structure's massing and the public realm. The proposed addition is in line with the existing side walls of the dwelling and does not add any additional depth to the dwelling. Staff are satisfied that appropriate side yards are provided and therefore that the general intent and purpose of the Zoning By-law are maintained.

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

Planning staff are of the opinion that any potential impacts of the reduced side yards on abutting properties are minor in nature. No additional depth or width is being proposed as part of the addition, and no height variances are required. Furthermore staff are of the opinion that the proposal represents appropriate development of the subject lands.

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 proposed addition will be addressed through the Building Permit Application process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-7088. Based on review of the information currently available in this permit application, the variances, as requested are correct.

In addition, we also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above preliminary zoning review application submitted on 2021/09/21 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: Jeanine Benitez, Zoning Examiner