

City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A528.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 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. A lot coverage of 43.0% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.0% in this instance;
2. A rear yard setback of 6.52m (approx. 21.39ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and,
3. A side yard setback of 0.31m (approx. 1.02ft) to the air conditioning whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) to an air conditioning located in a required yard in this instance.

Background

Property Address: 5853 Tayside Crescent

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

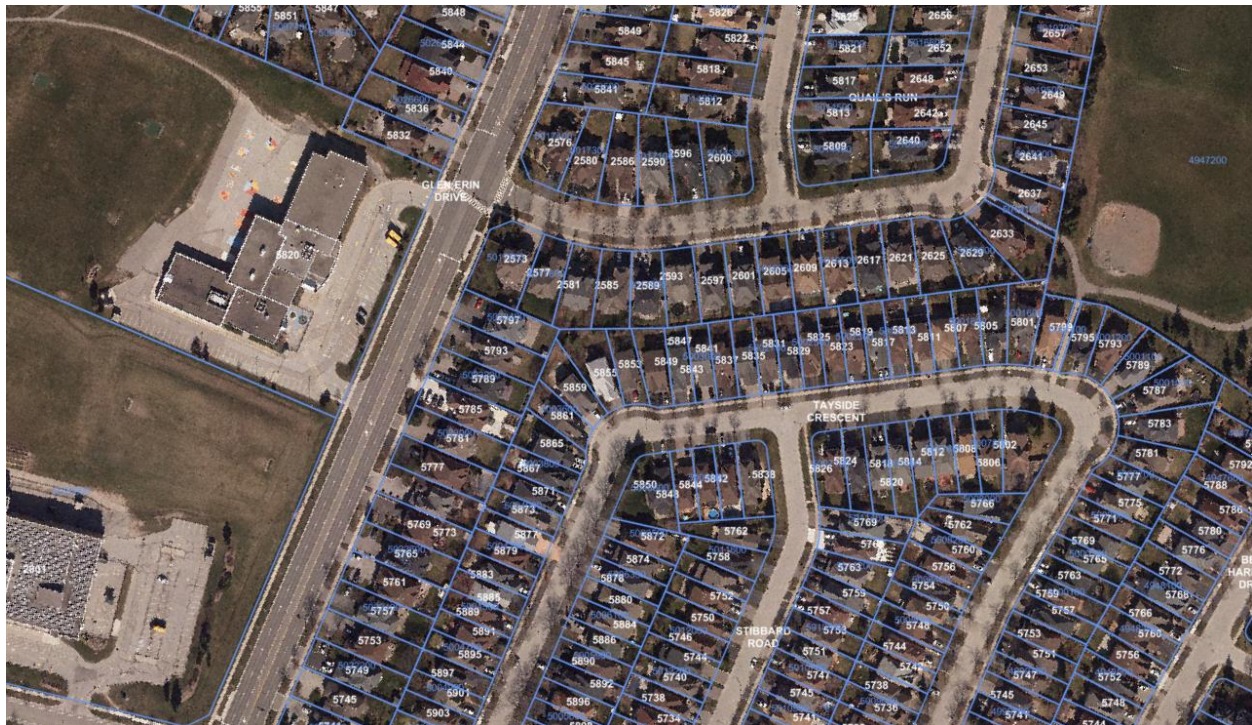
Zoning: R5 - Residential

Other Applications: PREAPP 21-5803

Site and Area Context

The subject property is located north-east of the Glen Erin Drive and Castlebridge Drive intersection in the Central Erin Mills neighbourhood. It currently contains a 2-storey detached dwelling with a lot frontage of +/- 17.56m (57.61ft) and a lot area of +/- 379.78m² (4,088ft²). There are limited landscape and vegetation elements on the subject property. The surrounding area context is exclusively residential, consisting of detached homes on varying sized lots.

The applicant is proposing an addition requiring variances for lot coverage, rear yard setback, and air conditioner setback.



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 Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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 is relatively small in nature and does not impact the proposed structures residential use or appearance from the streetscape. Staff are satisfied 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 requests an increase in lot coverage. The intent of restricting lot coverage is to prevent the overdevelopment of the property and limit impacts to both the streetscape and abutting properties. The proposed increase in coverage is minor and does not create significant additional massing.

Variance 2 requests a reduced rear yard setback. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that an appropriate rear yard amenity area can be maintained. Staff note that the rear property line is angled when compared to the structure and that the reduced setback is only measured to the closest point at the corner of the addition. An appropriate rear yard amenity area is maintained and the buffer between abutting properties is adequate in the opinion of staff.

Variance 3 requests a reduced side yard measured to an air conditioner. The intent of this portion of the by-law is to ensure an appropriate buffer between the air conditioner unit and the side lot line. In this instance staff are satisfied that the unit is appropriately located and will not restrict access to the rear yard which is available via the opposite side of the dwelling.

Given the above, staff are satisfied that the variances maintain the general intent and purpose of the Zoning By-law.

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

Staff are satisfied that the proposal represents appropriate development of the subject property. It is a reasonably sized addition to the existing structure and the requested variances will not create any negative impacts to abutting properties. Staff are additionally satisfied that the application is minor in 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 proposed addition will be addressed through the Building Permit Process.

With regards to Variance #3 for a reduced side yard setback, we note from the enclosed photo that the air conditioning unit is raised from the ground elevation and in this regard does not impede the existing drainage pattern on the property.





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 21-5803. 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: Alana Zheng, Zoning Examiner