

City of Mississauga Department Comments

Date Finalized: 2022-03-02	File(s): A504.21 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-10 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An exterior side yard setback of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance;
2. An exterior side yard setback of 2.22m (approx. 7.28ft) to the porch whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 2.90m (approx. 9.51ft) in this instance; and,
3. An exterior side yard setback of 2.40m (approx. 7.87ft) to the balcony whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m (approx. 11.48ft) in this instance.

Background

Property Address: 14 Benson Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Other Applications:

Preliminary Zoning Review – 21-7338 (withdrawn)

Preliminary Application Review – 21-435 (meeting waived)

Site and Area Context

The subject property is located in the Port Credit Neighbourhood (West) Character Area, northwest of Mississauga Road and Lakeshore Road West. The immediate neighbourhood contains an eclectic mix of housing types, including older and newer one and two storey detached, semi-detached, townhouse and multiplex dwellings with mature vegetation in the front yards. The subject property contains a one and a half storey detached dwelling with minimal vegetation in the front yard.

The application proposes the construction of a new duplex dwelling requiring variances related to exterior side 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*.

"[Enter info here]"

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits duplexes.

The applicant is seeking Committee approval of minor variances that will allow the construction of a new duplex dwelling on the subject property. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and the abutting property, which in this case is the public realm.

With respect to Variance #1, staff have conducted a thorough a review of the immediate neighbourhood and note that similar deficiencies are common for dwellings in the area. With respect to Variance #2, the porch does not present any massing concerns. With respect to Variance #3, the proposed balcony does not present any privacy or massing concerns, as it faces a vacant property across the existing city boulevard and roadway. The city boulevard provides additional buffering between the dwelling's massing and the public realm, 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 have been working with the applicant to achieve the 3rd parking spot to be entirely on private property. This most recent sketch now indicates this request. Further Transportation and Works Department concerns/requirements for the proposed new dwelling will be addressed through the future Site Plan Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file 21-7338. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Sherri Takaloo, Zoning Examiner