

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19	File(s): A112/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-07

Consolidated Recommendation

The City does not object to the requested variances, as amended.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 25.41% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A southeasterly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance.

Amendments

Variance #1 should be amended as follows:

A lot coverage of 25.43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;

Background

Property Address: 2076 Shawanaga Trail

Mississauga Official Plan

Character Area: Sheridan Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 (Residential)

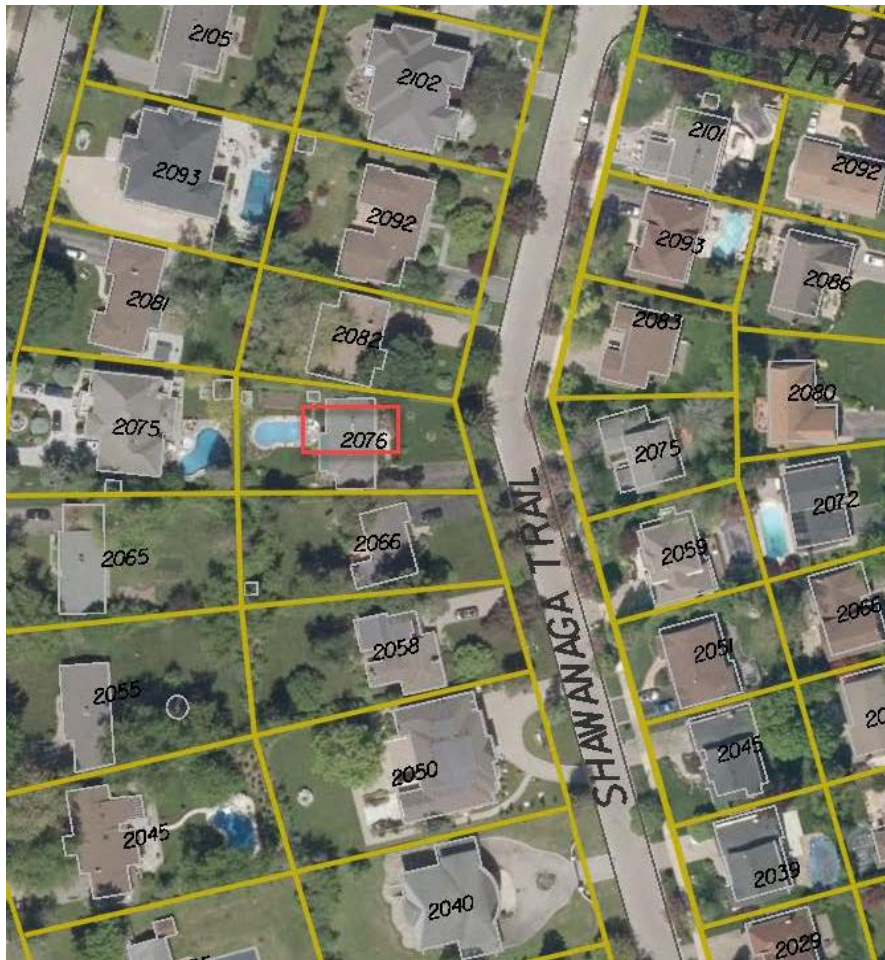
Other Applications

Pre-Zoning Application: 19-8985

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of Mississauga Road and North Sheridan Way. The neighbourhood is entirely residential consisting of large lots with mature vegetation containing one and two storey detached dwellings. The subject property contains an existing one storey dwelling and mature vegetation within the front yard.

The application proposes a new two storey dwelling requiring variances related to lot coverage and interior side yard.



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 designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which 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 proposed dwelling is sensitively designed to respect neighbouring properties and the overall character of the immediate neighbourhood. Staff is of the opinion 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?

The application proposes a lot coverage of 25.43% whereas 25% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the lot coverage includes the front porch and feature wall. The increased lot coverage is a minor deviation from the zoning by-law and will not result in overdevelopment of the lot, minimizing the overall massing of the dwelling to adjacent properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a side yard of 1.20 m whereas a minimum side yard of 4.20 m is required. The R1 (Residential) zone requires a side yard of 1.80 m on one side of the dwelling and 4.20 m on the other. The intent of the by-law is 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. In this instance, the side yard is measured to the feature wall of the dwelling which is approximately 4.35 m in height. The feature wall is a support post that extends further out from the front corner of the dwelling. The majority of the southerly side maintains a setback of 3.36 m, providing a sufficient buffer to the neighbouring property. The second storey is also setback from the feature wall, mitigating the overall massing impact of the reduced side yard. Furthermore, access to the rear yard will be preserved on both side yards of the dwelling. 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 detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed second storey is setback from the feature wall and will not negatively impact the abutting property from a massing perspective. The increased lot coverage includes the feature wall and front porch. The additional 0.43% in lot coverage is a minor deviation from the zoning by-law and will not have any additional undue impact to the character streetscape. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended.

Comments Prepared by: Lucas Petricca, 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 dwelling will be addressed through the Building Permit process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8985. Based on review of the information currently available for this building permit, we advise that the following variance should be amended as follows:

1. A lot coverage of 25.43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid.

Comments Prepared by: Adam McCormack, Zoning Examiner

City of Mississauga

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Appendix 3 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang, Junior Planner