

City of Mississauga Department Comments

Date Finalized: 2022-07-06	File(s): A296.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances.

Application Details

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

1. A rear yard setback of 5.155m (approx. 16.913ft) to the dwelling whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
2. A rear yard setback to the eaves of 4.82m (approx. 15.81ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to the eaves of 7.05m (approx. 23.13ft) in this instance;
3. A rear yard setback to the shed of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance; and,
4. A rear yard setback to the eaves of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to the eaves of 0.75m (approx. 2.46ft)

Background

Property Address: 29 Pinewood Tr

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 - Residential

Other Applications: BP 9ALT 22-1203

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southeast of the Hurontario Street and South Service Road intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a second storey addition requiring variances for rear 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 Mineola 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, 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 proposal conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. 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?

The requested variances pertain to rear yard setbacks. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. Variances #1 and 2 are measured from the rear lot line to the dwelling, while variances #3 and 4 are measured to an accessory structure. The applicant is proposing to build a second storey over the existing two-car garage. The second storey will maintain the same rear yard setbacks as the existing dwelling and not create any privacy concerns. Therefore, staff has no concerns with Variances #1 and 2. With respect to Variances #3 and 4, staff are of the opinion that these variances provide an adequate buffer between the accessory structure and the rear lot line. The setback will ensure maintenance can be performed on the structure and no additional variances to increase the structure's massing are required (height, gross floor area, etc.).

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

Upon review of the application, staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature, represent existing conditions for the lands, and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Connor DiPietro, 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, File BP 9ALT 21/1203.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-1203. 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: Sherri Takaloo, Zoning Examiner