

# City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A368.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 3:00:00 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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

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

1. A building height of 8.17m (approx. 26.80ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance;
2. A front yard setback of 4.54m (approx. 14.90ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
3. An exterior side yard setback (northerly) of 3.96m (approx. 12.99ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An interior side yard setback (southerly) of 1.81m (approx. 5.94ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.78m (approx. 5.84ft) in this instance;
5. A garage projection of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0.00m in this instance;
6. A front yard setback to the roof overhang of 3.51m (approx. 11.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the roof overhang of 5.55m (approx. 18.21ft) in this instance; and,
7. A front yard setback to the porch with stairs of 3.16m (approx. 10.37ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to a porch of 4.40m (approx. 14.44ft) in this instance.

## Background

**Property Address:** 82 Eaglewood Blvd

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

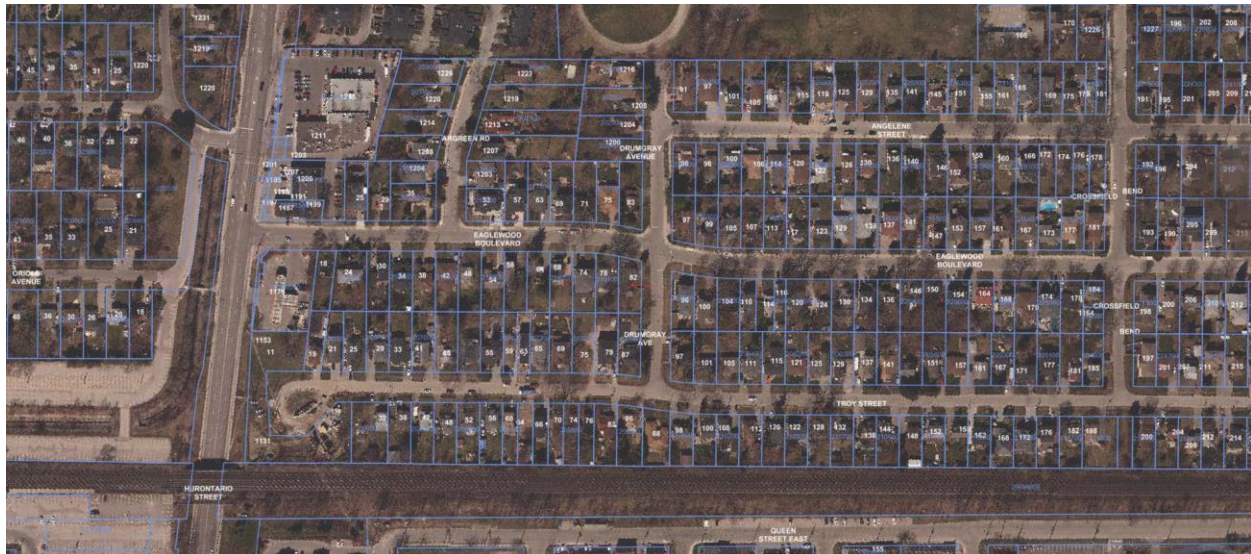
**Zoning:** R3-1 - Residential

**Other Applications:** Site plan application under file SPI 22-39.

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Mineola Road East and Hurontario Street intersection. The neighbourhood is entirely residential, consisting of old and new one and two-storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one-storey dwelling with vegetation in the front side yard.

The application proposes a second storey addition to an existing one-storey dwelling requiring variances related to building height, setbacks and garage projection.



## 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 are as follows:

The subject property is located within the Mineola Neighbourhood Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex, triplex and street town house dwellings.

Variance #1 pertains to flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize negative impacts on the streetscape and neighbouring properties. Furthermore, the regulations are intended to restrict large flat roof dwellings that were permitted up to a height of 10.70m (35.1ft) and could accommodate a three-storey dwelling. Staff note that the applicant is proposing a two-storey dwelling containing various architectural features that breakup the dwelling's massing and create a visual separation between the first and second storeys.

Variances #2, 3, 4, 6 and 7 pertain to setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings and are not out of character. The proposed setbacks are also generally consistent with setbacks to the existing one-storey detached dwelling. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard is unencumbered. Lastly, the front yard setbacks are to elements of the dwelling that do not have significant massing.

Variance #5 pertains to a garage projection. Staff note that the applicant has proposed a covered porch. While the covered porch projection dimensions are not shown on the applicant's drawings, staff note that the covered porch has a similar projection as the proposed garage. The applicant has noted that this information will be provided to staff prior to the hearing. This projection softens the visual projection of the garage from a streetscape perspective. Staff also note multiple detached dwellings contain projecting garages in the immediate area.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. 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 are noting for Committee's information that any Transportation and Works Department concerns/requirements for the existing addition are being addressed through the current Site Plan application SP-22/039.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

Application Received, More Info Required

The Building Department is currently processing a site plan application under file SPI 22-39. 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: Jeanine Benitez, Zoning Examiner (ST)

### Appendix 3 – Region of Peel

Development Engineering: Alexandra Maria (905) 791-7800 x7991

**Comments:** 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 contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

All unutilized water and sanitary services shall be disconnected and/or abandoned in accordance with Region of Peel standards and specifications. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

"[Enter Community Services staff comments]"

Comments Prepared by: Joseph Filice, Junior Planner

### Appendix 4 – Metrolinx

Metrolinx is in receipt of the minor variance application for 82 Eaglewood Blvd to allow a new second-floor addition to the dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

- The Proponent is advised that the development lands, 82 Eaglewood Blvd are located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the development lands. The Applicant is further advised that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator