

City of Mississauga Department Comments

Date Finalized: 2022-08-24	File(s): A403.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-09-01 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. 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 application to permit the construction of an addition to an existing dwelling proposing:

1. A front yard setback to the second storey of 6.54m (approx. 21.46ft) whereas By-law 0225-2007, as amended, requires a front yard setback to the second storey of 7.5m (approx. 24.61ft) in this instance;
2. A front yard setback to the second storey eaves overhang of 6.24m (approx. 20.47ft) whereas By-law 0225-2007, as amended, requires a front yard setback to the second storey eaves overhang of 7.05m (approx. 23.13ft) in this instance;
3. Combined side yard widths of 22.12% or 5.73m (approx. 18.80ft) whereas By-law 0225-2007, as amended, requires combined side yard widths of 27% or 7.00m (approx. 23.00ft) in this instance; and,
4. A height to the eaves overhang of 6.52m (approx. 21.39ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves overhang of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 396 Atwater Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: Site Plan Infill application under file SPI 22-33

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of the Atwater Avenue and Cawthra Road intersection. The immediate neighbourhood is residential, consisting of one and two-storey detached dwellings. The subject property contains an existing one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing an addition requiring variances related to setbacks, side yard widths and height.



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 designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings.

Variations #1 and 2 pertain to front yard setbacks. Variation #3 pertains to a combined width of side yards. Staff have no concerns with these variations as the proposed front and side yard setbacks provide an adequate buffer between the massing of the dwelling and adjacent properties and the streetscape. Furthermore, the setbacks proposed are consistent with existing residential setbacks in the immediate neighbourhood.

Variation #4 pertains to a height to the eaves. The proposed eave height variation is only required to the eaves located at the rear of the dwelling. The proposed eave height represents a minor deviation from the maximum height permitted. Therefore, staff is of the opinion that this variation's impact to abutting properties and the streetscape is negligible.

The proposed addition is sympathetic to the surrounding area and does not impact 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 variation process, and that 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 proposed addition will be addressed through the current Site Plan application SP-22/033.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-33. Based on review of the information currently available in this permit application, variances # 2, 3 and 4, as requested are correct.

Furthermore, we advise that more information is required to determine the accuracy of variance # 1 or if additional variances may 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

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

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

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Camila Marczuk & Daniel O'Connor, Development Engineering & Development Planning