

City of Mississauga Department Comments

Date Finalized: 2022-08-31	File(s): A408.22
To: Committee of Adjustment	Ward: 1
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, as requested, 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 a dwelling proposing:

1. A front yard setback to a garage of 6.06m (approx. 19.88ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to a garage of 7.5m (approx. 24.61ft) in this instance;
2. A front yard setback to a second storey of 6.39m (approx. 20.96ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to a second storey of 7.5m (approx. 24.61ft) in this instance;
3. A front yard setback to roof eaves of 6.06m (approx. 19.88ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to roof eaves of 7.05m (approx. 23.13ft) in this instance;
4. A front yard setback to a porch of 5.30m (approx. 17.39ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to a porch of 5.90m (approx. 19.36ft) in this instance;
5. A front yard setback to an awning of 5.32m (approx. 17.45ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to an awning of 6.89m (approx. 22.60ft) in this instance;
6. An interior right yard setback to an addition of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, requires a minimum interior right yard setback to an addition of 1.81m (approx. 5.94ft) in this instance;
7. An interior right side yard setback to a side deck of 0.52m (approx. 1.71ft) whereas By-law 0225-2007, as amended, requires a minimum interior right side yard setback to a side deck of 1.20m (approx. 3.94ft) in this instance;

8. An interior right side yard setback to roof eaves of 1.30m (approx. 4.27ft) whereas By-law 0225-2007, as amended, requires a minimum interior right side yard setback to roof eaves of 1.81m (approx. 5.94ft) in this instance;
9. An interior left side yard setback to an addition of 1.23m (approx. 4.03ft) whereas By-law 0225-2007, as amended, requires a minimum interior left side yard setback to an addition of 1.81m (approx. 5.94ft) in this instance;
10. An interior left side yard setback to roof eaves of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum interior left side yard setback to roof eaves of 1.36m (approx. 4.46ft) in this instance;
11. A sloped roof building height of 9.85m (approx. 32.32ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof building height of 9.5m (approx. 31.17ft) in this instance;
12. An interior right yard setback to the driveway 0.48m (approx. 1.58ft) whereas By-law 0225-2007, as amended, requires a minimum interior right yard setback to the driveway of 0.61m (approx. 2.00ft) in this instance;
13. A storage shed area of 24.0sq m (approx. 258.33sq ft) whereas By-law 0225-2007, as amended, permits a maximum storage shed area of 20.0sq m (approx. 215.28sq ft) in this instance;
14. An accessory building/structure lot coverage of 5.53% whereas By-law 0225-2007, as amended, permits a maximum accessory building/structure lot coverage of 5.00% in this instance; and,
15. A storage shed height of 3.99m (approx. 13.01ft) whereas By-law 0225-2007, as amended, permits a maximum storage shed height of 3.5m (approx. 11.48ft) in this instance.

Background

Property Address: 2105 Stanfield Rd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: PREAPP 22-1099

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, south of the Queensway East and Stanfield Road intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings on lots with mature vegetation in the front yards. Applewood United Church is located south of the subject property. The subject property contains a one and a half-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition to an existing residential dwelling requiring variances for front and interior yard setbacks, height, accessory building area, accessory building lot coverage and accessory building 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.

Variances #1-10 and 12 pertain to setbacks for the dwelling.

Variations #1-5 are regarding front yard setbacks. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The proposed garage setback (variance #1) is an existing condition for the subject property, and therefore does not pose a negative impact from a planning perspective. The second storey setback reduction (variance #2) is a minor reduction to the zoning by-law requirements, and poses no significant impacts or privacy/overlook concerns. Variations #3-5 relate to a new front porch and awning. The front yard setback reductions requested are minimal and are generally reflective of front yard setbacks in the immediate area. Further, the reduced front yard setback will bring the dwelling closer to the street, in line with the existing garage. This will reduce the dominance of the current garage face on the street. Lastly, the front porch does not provide significant massing concerns, as the awning is not enclosed and is only restricted to the first storey of the dwelling.

Variations #6-10 and 12 are regarding interior side yard setbacks. The general intent of this portion 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. The requested variations allow for an adequate side yard setback to accommodate a drainage swale and separation of dwellings along the southerly side yard and rear yard access along the northerly side. Lastly, the second storey setback reductions are minimal, and allow for adequate separation between principal structures on neighbouring lots, and present no concerns regarding overlook and privacy.

Variance #11 is regarding the height of the sloped roof for the dwelling. The intent in restricting height to the sloped roof is to reduce the overall massing of a dwelling and to minimize negative impacts on the streetscape and neighbouring properties. The proposed height increase is only for a single point in the roofline and not the roof as a whole. The dwelling provides multiple gables to break up the roofline and reduce the overall visual impact. Finally, the height increase being sought by the applicant represents a minimal increase to the maximum currently permitted as of right. Planning staff do not anticipate significant massing concerns as a result of this variance.

Variations #13-15 pertain to the accessory structure (shed) proposed on the subject property. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting an overdevelopment of the lot. The proposed shed is to be placed in approximately the same location as the existing shed at the rear of the subject property. The proposed accessory building area represents a minimal increase to the maximum permitted as of right and is slightly larger in area than the existing shed it is replacing. The proposed accessory building height is a minimal increase from what is permitted and is related to a single point of the roofline. The proposed accessory height increase does not pose any massing concerns to the subject site or the neighbouring properties. The lot coverage for the accessory structures is divided between three structures, being the existing pergola (12.9sqm/138.85sqft), existing tool shed (6.8sqm/73.19sqft), and the proposed shed (24.0sqm/258.33sqft). As the total accessory structure lot coverage is spread out across multiple structures, the massing impact is minimized. Therefore the proposed accessory structure is considered proportional to the dwelling and lot and are of a reasonable size.

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 are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Building Permit Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1099. Based on review of the information currently available in this permit application, we advise that the variances as requested are correct, more information is required in order to 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

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

Comments Prepared by: Camila Marczuk, Development Engineering