

City of Mississauga Department Comments

Date Finalized: 2022-09-07	File(s): A424.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-09-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A dwelling unit depth (basement) of 20.11m (approx. 65.98ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.68ft) in this instance;
2. A front yard setback of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum front yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A gross floor area of 317.68sq m (approx. 3419.48sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 293.23sq m (approx. 3156.30sq ft) in this instance; and,
4. A lot coverage of 30.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

Background

Property Address: 38 River Rd

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

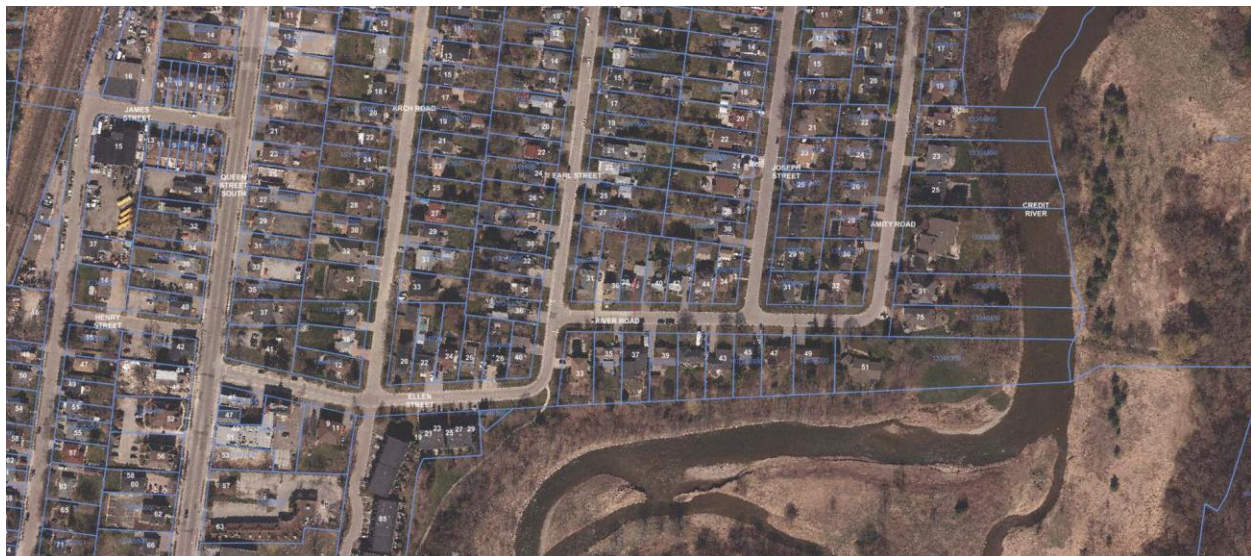
Zoning: R3-69 - Residential

Other Applications: BP 9NEW 22-2070

Site and Area Context

The subject property is located south-east of the Queen Street South and Britannia Road West intersection in the Streetsville neighbourhood. Currently the property contains a one and a half storey detached dwelling with limited vegetative and landscaping elements in both the front and rear yards. It has a lot area of +/- 716.17m² (7,708.79ft²), which is generally consistent with the surrounding area. The surrounding area context is predominantly residential, consisting exclusively of detached dwellings, however commercial uses are present on both Britannia Road West and Queen Street South.

The applicant is proposing a new dwelling requiring variances for dwelling unit depth, front yard setback, gross floor area, and lot coverage.



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 Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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. Planning staff are satisfied that the proposed dwelling maintains the permitted use and that the design of the dwelling is appropriate for the property. In the opinion of staff, the application maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance 1 requests an increased dwelling depth. The intent of this provision is to minimize the impacts of long walls on neighbouring lots as a result of the massing. Staff note that the dwelling itself meets the zoning by-law, however the proposed rear porch is proposed to be excavated below grade for additional living space in the basement. The inclusion of the rear porch and basement living space increases the dwelling depth over 20 metres, triggering the variance. Staff are satisfied that the additional depth will not be perceptible from neighbouring properties.

Variance 2 requests a reduced front yard setback. 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 reduction is only for one corner of the dwelling as a result of the dwelling and front lot line not being parallel. Furthermore the front yard setback is appropriate and generally in line with abutting dwellings.

Variance 3 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure that the existing and planned character of a neighbourhood is preserved. The proposed increase is minor in nature, and the dwelling is designed in a way to mask some of the massing from both abutting properties and the streetscape.

Variance 4 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. In this instance the proposed dwelling represents less than 30% lot coverage. When the front and rear porches and roof overhang in front of the garage are factored into the lot coverage it pushes the development over the maximum permitted lot coverage. It is the opinion of staff that these porches and overhangs do not create the same massing impact as the dwelling itself and staff are satisfied that the proposal does not represent an overdevelopment of the subject property.

Given the above, Planning staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. The impacts of the variances will be minor in nature both on abutting properties and the streetscape.

Comments Prepared by: Alexander Davies, 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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-2070. 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: 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