

City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A737.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-09 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended. 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 the construction of a new dwelling proposing:

1. A gross floor area of 548.30sq m (approx. 5901.85sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 514.04sq m (approx. 5533.08sq ft) in this instance;
2. A combined side yard width of 5.02m (approx. 16.47ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 8.18m (approx. 26.84ft) in this instance;
3. A front yard setback of 10.80m (approx. 35.43ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance and,
4. A front yard setback to the porch of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the porch of 10.40m (approx. 34.12ft) in this instance.

Amendments

The agent submitted a revised list of variances on January 27th, 2022. As such, the following variances should be amended as follows:

3. A front yard setback of 11.21m (approx. 36.778ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance and,

4. A front yard setback to the porch of 10.07m (approx. 33.038 ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the porch of 10.40m (approx. 34.12ft) in this instance

Background

Property Address: 1619 Crediton Pkwy

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

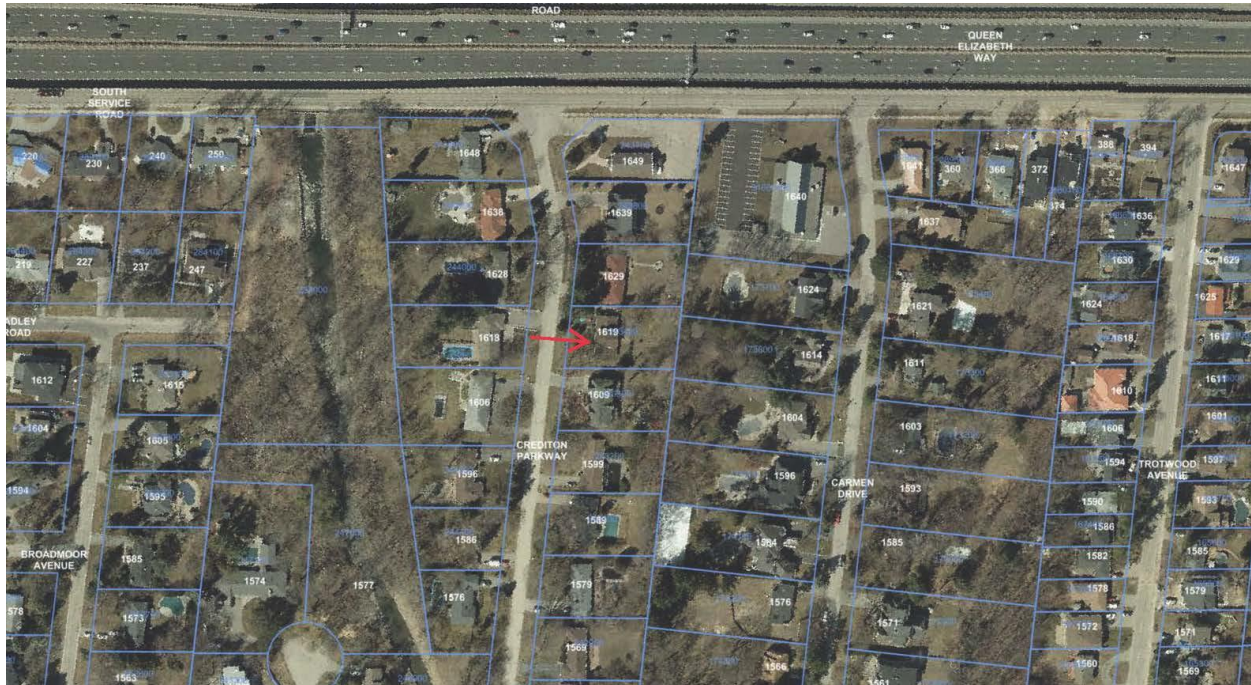
Zoning: R1-2 - Residential

Other Applications: Site Plan Infill application under file SPI 22-111.

Site and Area Context

The subject property is located within the Mineola Character Area, southeast of the South Service Road and Kenmuir Avenue Intersection. The surrounding neighbourhood consists of one, one and a half and two storey-detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requiring variances related to gross floor area, combined side yard width and front 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. New housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours regarding overshadowing and overlook. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole. The new development will not negatively impact the character streetscape. Staff are of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 relates to gross floor area (GFA) – infill residential. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the

existing and planned character of a neighbourhood is preserved. Based on the new definition and calculation method for GFA – infill residential currently in use, the proposed GFA is a minor deviation from the maximum permitted. Furthermore, the proposed GFA is consistent with new detached dwellings in the immediate area.

Variance #2 relates to combined side yard width. The proposed dwelling provides adequate side yard setbacks for both the easterly and westerly side yards, maintaining access to the rear yard and space between primary structures on neighbouring properties. Furthermore, the proposed side yard widths are consistent with side yards found to detached dwellings in the immediate area.

Variance #3 and 4 relate to 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. Staff have no concerns with the requested variances, as they are consistent with front yards found within the immediate area. Furthermore, there are no massing concerns associated with the porch.

Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

Planning staff are of the opinion that the impacts created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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 dwelling will be addressed by our Development Construction Section through the future Building Permit process.



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 22-111. 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: Alana Zheng, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-737/22, 1619 Crediton Parkway

Servicing: Camila Marczuk (905) 791-7800 x8230

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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services