

# City of Mississauga Department Comments

Date Finalized: 2023-06-07	File(s): A182.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-15 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. 2 garages (detached + carport) whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
2. A westerly interior side yard setback to the second storey eaves overhang of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46 ft) in this instance;
3. To permit stairs, stairwells and retaining walls in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells and retaining walls in the exterior side yard in this instance;
4. An exterior side yard setback to the second storey eaves overhang of 4.59m (approx. 15.06ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.05m (approx. 23.13ft) in this instance;
5. A eaves overhang height from average grade of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance;
6. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
7. A westerly interior side yard setback to a detached garage of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
8. A detached garage interior length of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum length of 6.00m (approx. 19.69ft) in this instance;
9. A lot coverage of 32.64% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
10. An exterior side yard setback to the stairs, stairwells or retaining walls of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx.

24.61ft) in this instance;

11. A westerly interior side yard setback to the second storey of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;

12. An exterior side yard setback of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.61ft) in this instance;

13. A gross floor area (infill residential) of 401.46sq m (approx. 4321.28sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 308.73sq m (approx. 3323.14sq ft) in this instance;

14. An interior side yard setback to detached garage eaves overhang of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.75m (approx. 2.46ft) in this instance;

15. A northerly interior side yard setback to the second storey of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance; and,

16. A northerly interior side yard setback to the second storey eaves overhang of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance.

## Amendments

Based on review of the information currently available in this application, variances # 1, 3 - 10, and 12 - 16, as requested are correct.

Furthermore, we note that the following variances should be amended:

7. A **northerly** interior side yard setback to a detached garage of 0.60 m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20 m (approx. 3.94ft), in this instance;

14. A **northerly** interior side yard setback to the detached garage eaves overhang of 0.19 m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the detached garages eaves overhang of 0.75 m (approx. 2.46ft), in this instance;

In addition, the following variance should be added:

17. An unobstructed area for parking within the carport of 2.69 m (approx. 8.83ft) whereas By-law 0225-2006, as amended, requires a minimum unobstructed area for parking of 2.75 m (approx. 9.02ft), in this instance;

Lastly, variances # 2 and 11 can be removed, as they are already captured by # 15 and 16.

---

## Background

**Property Address:** 22 Sora Drive

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-50 - Residential

**Other Applications:** BP 9NEW 23-5894

### Site and Area Context

The property is located north-east of the Erin Mills Parkway and Thomas Street intersection and currently houses a single-storey detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. While new construction is present, it is not prevalent in this neighbourhood. The subject property is a corner parcel with a lot area of approximately +/- 787.1m<sup>2</sup> (8,472.3ft<sup>2</sup>) and moderate vegetative elements are present in the front and exterior side yards. Properties in the immediate area are of similar sizes with moderate vegetative / natural landscaped elements within the front yards.

The applicant is proposing a new dwelling requiring variances for number of garages, various setbacks, below grade entrance location, number of kitchens, detached garage size, gross floor area, lot coverage, and height measured to the eaves.



## 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:

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.

The applicant is proposing variances to the maximum permitted gross floor area, lot coverage, and eave height. The intent of these regulations are to: prevent the overdevelopment of the lot and limit any massing impacts to the streetscape and abutting properties, maintain compatibility between existing and new dwellings, and lessen the visual massing of the dwelling. Furthermore the applicant has requested multiple variances relating to setbacks.

The proposed gross floor area represents a notable increase from the existing permissions which will have impacts on the massing of the structure. When combined with the requests for eave height, lot coverage and setbacks, the impacts to the streetscape and abutting properties is not minor in nature in the opinion of staff.

Given the above, Planning staff recommend that the application be deferred in order to allow the applicant to redesign the proposed dwelling.

Comments Prepared by: Shivani Chopra, Planner in Training

## 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 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 23-5894. Based on review of the information currently available in this application, variances # 1, 3 - 10, and 12 - 16, as requested are correct.

Furthermore, we note that the following variances should be amended:

7. A **northerly** interior side yard setback to a detached garage of 0.60 m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20 m (approx. 3.94ft), in this instance;
14. A **northerly** interior side yard setback to the detached garage eaves overhang of 0.19 m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the detached garages eaves overhang of 0.75 m (approx. 2.46ft), in this instance;

In addition, the following variance should be added:

17. An unobstructed area for parking within the carport of 2.69 m (approx. 8.83ft) whereas By-law 0225-2006, as amended, requires a minimum unobstructed area for parking of 2.75 m (approx. 9.02ft), in this instance;

Lastly, variances # 2 and 11 can be removed, as they are already captured by # 15 and 16.

More information is required to determine the maximum height of the proposed detached garage eaves overhang from established grade, whereas a maximum of 3.00 m is permitted.

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

### Minor Variance: A-23-182M – 22 Sora Drive

Development Engineering: 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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko, Junior Planner