

City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A236.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 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 an addition proposing:

1. An exterior side yard setback of 6.36m (approx. 20.87ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A porch encroachment into an exterior side yard of 5.31m (approx. 17.42ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 5.90m (approx. 19.36ft) in this instance.

Background

Property Address: 17 Ellesboro Dr

Mississauga Official Plan

Character Area: Streetsville NHD
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50 - Residential

Other Applications: BP 9ALT 23-6406

Site and Area Context

The subject property is located north-east of the Queen Street North and Britannia Road West intersection in the Streetsville neighbourhood. Currently the lot contains a single storey detached dwelling with an attached garage. It has a lot frontage of +/- 41.98 m (+/- 137.72ft) and a lot area of +/- 922.65 m² (+/- 9931.32ft²). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of various sizes. In the broader context, the site is in the vicinity of Riverview Park to the east and commercial buildings to the west.

The applicant is proposing an addition requesting variances for a reduced side yard.



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 detached, semi-detached, and duplex dwellings. 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 proposal represents residential development in line with the designation, and staff are satisfied that the proposed addition is compatible with the surrounding built form. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the Official Plan.

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

Variances 1 proposes a reduction in the exterior side yard setback measured to the proposed addition. The general intent of side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and that access to the rear yard ultimately remains unencumbered. Staff note that the side property line of the subject property is not parallel to the proposed structure and that the proposed setback is measured to a pinch point between the building and the lot line. At its closest to the side lot line, the proposal maintains an appropriate setback from the street and increases as the lot line moves away from the pinch point. Staff are of the opinion that the proposed setback is sufficient to maintain access to the rear yard and maintains an adequate buffer to the adjoining properties. Furthermore, Planning staff note that the Transportation & Works Department has reviewed the application and does not have any concerns regarding drainage.

Variance 2 requests an increased porch encroachment. The intent of this portion of the by-law is to ensure that an appropriate buffer between the porch and lot lines is maintained. Staff note that the request is minor in nature and are satisfied that the porch on the subject property is appropriately sized and setback from the lot line.

Given the above, Planning staff are satisfied that the requested variances maintain 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 represent appropriate development of the subject property. The proposed variances, both individually and collectively, are minor in nature and are not expected to create undue impact on abutting properties or the streetscape.

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 addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6406. 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: Gary Gagnier; Zoning Examiner

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Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner