

City of Mississauga Department Comments

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| Date Finalized: 2023-10-11 | File(s): A405.23 |
| To: Committee of Adjustment | Ward: 2 |
| From: Committee of Adjustment Coordinator | Meeting date:2023-10-19 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 no additional variances are required.

Application Details

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

1. A side yard setback of 1.92m (approx. 6.29ft) whereas By-law 0225-2007, as amended, permits a maximum side yard setback of 2.41m (approx. 7.90ft) in this instance;
2. A building depth of 20.61m (approx. 67.61ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.61ft) in this instance; and,
3. A combined width of side yards of 6.46m (approx. 21.19ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.34m (approx. 27.36ft) in this instance.

Background

Property Address: 1376 Mississauga Road

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2

Other Applications: PREAPP 22-738

As such, the applicant has applied under application A405.23 with a revised proposal from the original under A280.22. The revised application is no longer for a new dwelling but for an addition to the existing dwelling.

The applicant is now proposing a two-storey front yard addition and a one-storey addition in the rear yard, requesting variances for building depth and side yard setbacks.

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 within the Clarkson - Lorne Park Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings 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. Staff are of the opinion that the proposed dwelling maintains the permitted residential use and is designed to respect both the existing on-site conditions and the surrounding context. Planning staff are satisfied that the general intent and purpose of the official plan are maintained.

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

Variance #1 and #3 relate to individual and combined side yards of the subject property respectively. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Variance #1 pertains to the east-side yard setback which varies from 1.92m (6.29ft) to 1.94m (6.36ft) at its widest point and is measured to the existing dwelling's second storey. Staff note that the second storey aligns with the first storey, which meets the minimum setback requirements of 1.8m (5.90ft) measured to the first storey. Staff note that the proposed additions are on the west side of the property, and meet the required setbacks. Additionally, staff note that the proposed additions on the west side of the property abut the rear yard of the adjacent lot, which provides an additional buffer between the addition and the dwelling located on the adjacent lot. Staff are of the opinion that the location of the proposed addition and significant buffer between the addition and adjacent dwelling to the west will mitigate any massing concerns.

Variance #2 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. The proposed increase in dwelling depth of 20.61m (67.61ft) is a minor deviation from the permissible as-of-right regulations of 20m (65.61ft) to accommodate a two-storey addition in the front yard. It is staff's opinion that an increase of 0.61m(2ft) is negligible and note that the rear addition is one-storey in height, thereby breaking up the overall massing of the dwelling and minimising any negative impacts. Staff are of the opinion that the request will not create any negative impacts on adjoining properties.

As such, Planning staff have no concerns with the proposed variances and 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. Staff are of the opinion that the dwelling depth numerically represents a minor increase and that the proposed addition does not present massing concerns. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 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 an application under file PREAPP 22-738. 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, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-23-405M / 1376 Mississauga Rd

Development Engineering: Wendy Jawdek (905)-791-7800 x3602

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
- For location of existing water and sanitary sewer Infrastructure please contact Records at (905) 791-7800 x7973 or by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4 – Heritage

The drawings provided as part of the Committee of Adjustment application do not match the drawings submitted and approved as part of the Heritage Application. An addendum to the Heritage Impact Assessment will have to be proved to heritage planning, demonstrating what impacts these changes will have on the Cultural Heritage Landscape and the adjacent designated property.

Comments Prepared by: Andrew Douglas, Heritage Analyst