

City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A395.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. An interior side yard setback of 1.15m (approx. 3.77ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. An eave setback of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum eave setback of 1.36m (approx. 4.46ft) in this instance; and,
4. A lot coverage of 39.33% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

Amendments

The Building Department is processing Building Permit application BP 9NEW 23-8499. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

1. An interior side yard setback of 1.15m (approx. 3.77ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. A second storey interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A second storey eave setback of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as

amended, requires a minimum eave setback of 1.36m (approx. 4.46ft) in this instance; and,

4. A lot coverage of 39.33% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance

Background

Property Address: 584 Mississauga Valley Blvd

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Low Density I

Zoning By-law 0225-2007

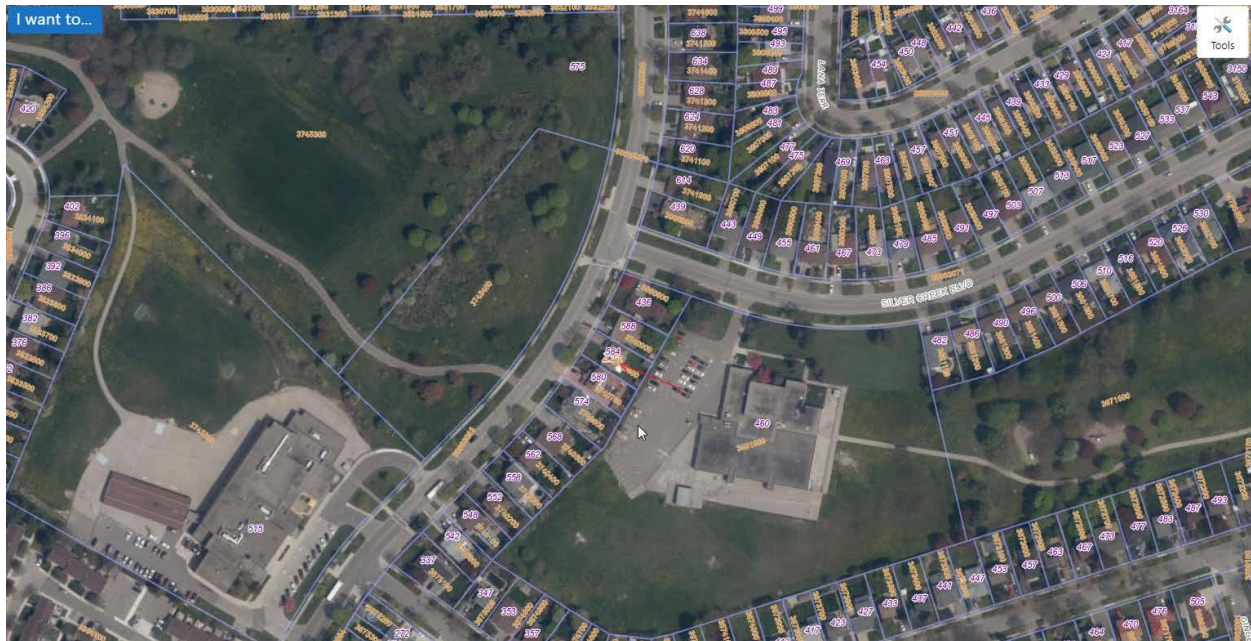
Zoning: R3- Residential

Other Applications: BP 9NEW 23-8499

Site and Area Context

The subject property is located within the Mississauga Valleys Neighbourhood Character Area, south of the Bloor Street and Mississauga Valley Boulevard intersection. The immediate neighbourhood is mostly residential, consisting of one and two-storey detached dwellings, semi-detached dwellings and townhouse blocks. In addition, the subject property abuts Silver Creek Public School to the east and Metropolitan Andrei Catholic School to the south-west. The subject property contains a two-storey detached dwelling with limited vegetation in the front yard.

The applicant is proposing a new detached dwelling requiring variances for side yard setbacks, eaves setback 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 Mississauga Valleys Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached 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 conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. 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?

Variances 1, 2 and 3 request a reduction in the side yard setback to the first storey, second storey and second storey eaves. The intent of the side yard setback regulation is to ensure an appropriate buffer between structures on abutting properties and unencumbered access to the rear yard is provided. Staff note that the first storey of the dwelling requires a 1.2m setback,

whereas 1.15m is proposed for the north side yard. Staff find the proposed increase negligible and the proposed setback maintains unencumbered access to the rear yard. The second storey on the proposed dwelling has the same south side yard setback as the first storey, which is consistent with other two-storey detached dwellings found in the immediate area. Furthermore staff note the proposed south side yard setbacks are measured to a pinch point, and gradually increase towards the rear of the dwelling. As such, it is staff's opinion that the requested variances are a minor deviation from the by-law and do not pose any concerns.

Variance 4 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot and that massing impacts are limited. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. It is appropriately sized and situated on the subject property, minimizing any potential impact.

Given the above, it is the opinion of Planning staff 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?

Upon review of the application, staff are satisfied that the proposal represents appropriate development of the subject lands. The various setback and lot coverage variances do not pose any 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 in the area.

Comments Prepared by: Daniel Grdasic, 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: Joe Alava, T&W Development Engineering



Appendix 2 – Zoning Comments

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Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-395M / 584 Mississauga Valley Blvd

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

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 by email at siteplanservicing@peelregion.ca or at (905) 791-7800 x7973.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca or at (905) 791-7800 x7973.
- The applicant is advised that, arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to servicing the site, prior to obtaining the Building Permit.
- All our Design criteria, standards, specifications, procedures and report and submission requirements are found on-line at <https://www.peelregion.ca/public-works/design-standards/#procedures>

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- Please refer and adhere to the Regional by-laws that are applicable to your proposal, such as but not limited to, the Water, Wastewater and Backflow Prevention by-laws <https://www.peelregion.ca/council/bylaws/archive.asp>

Comments Prepared by: Ayooluwa Ayoola, Junior Planner