

City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): A428.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 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 an addition proposing:

1. A side yard setback of 1.87m (approx. 6.14ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance; and,
2. An eaves side yard setback of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum eaves side yard setback of 1.96m (approx. 6.43ft) in this instance.

Background

Property Address: 1433 Ryan Place

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2- Residential

Other Applications: Building Permit application SEC UNIT 23-7291

Site and Area Context

The subject property is located south-west of the Dundas Street West and The Credit Woodlands intersection in the Erindale neighbourhood. It currently contains a one and a half storey detached dwelling with an attached garage. The property has a lot frontage of +/- 20.16m (+/- 66.14ft) and a lot area of +/- 785.7m² (+/- 8457.2044 ft²). Mature vegetation is present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of detached dwellings on generally similarly sized lots.

The applicant is proposing to construct an addition requiring variances for side 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 located in the Erindale 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 applicant is proposing a second storey addition, which is characteristic of the existing dwellings in the neighbourhood. Planning staff are satisfied that the

built form is appropriate for the subject property given the surrounding context and will not negatively impact the streetscape. 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 and #2 are for a side yard setback to the second storey and eaves respectively. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note that the second storey addition is proposed on top of the existing garage, which meets the required side yard setback. The proposed second storey addition will have the same setback as the first storey, which is consistent with other two-storey detached dwellings found in the immediate area. 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.

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 and that the proposed setbacks 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 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 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.

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



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 23-7291. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

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-23-428M / 1433 Ryan Place

Development Engineering: Brian Melnyk (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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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.

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- CVC

Although our online mapping indicates that the subject site at 1433 Ryan Place in Mississauga is regulated by CVC, we have had a chance to review and the subject property is not located within CVC's Regulated Area. As such, a CVC permit is not required for development on this property and we do not need to review and comment on the proposed Minor Variance application.

If you have any questions regarding the above, please let me know.

Comments Prepared by: Stuti Bhatt, Junior Planner