

City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A360.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. An interior side yard setback to the second floor of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.80m (approx. 5.91ft) in this instance;
2. An interior side yard setback to the garage of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the garage of 1.20m (approx. 3.94ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 44% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

Background

Property Address: 3303 Candela Drive

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: BP 9ALT 23-6902

Site and Area Context

The subject property is located south-west of the Bloor Street and Cawthra Road intersection and currently houses a semi-detached dwelling with a detached garage. Contextually, the surrounding neighbourhood consists of detached dwellings, semi-detached dwellings and townhouse dwellings. The subject property is an interior lot with a lot frontage of +/- 9.10m (29.85ft) and a lot area of approximately +/- 490.63m² (5,281.10ft²). It contains limited vegetative and landscaping elements in the front and rear yards.

The applicant is proposing an addition requiring variances for side yard setbacks, number of kitchens 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 II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the 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 a large addition to an existing detached dwelling that will not impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the official plan is maintained.

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

Variations 1 and 2 relate to the interior side yard setback to the second storey and attached garage. The intent of the side yard setback regulation is to ensure an adequate buffer between structures on abutting properties, appropriate drainage can be maintained and unencumbered access to the rear yard is provided. The proposed second storey addition is consistent with the setback proposed for the attached garage on the first storey. These reduced setbacks are consistent with other two-storey semi-detached dwellings found in the immediate area. The proposed attached garage and second storey addition will not encroach farther into the side yard than the existing detached garage already does. Furthermore, the roofline of the second storey addition contains architectural features that breaks up its overall massing and minimizes its impact in relation to the neighbouring properties. Staff are satisfied that maintaining the existing side yards provides an adequate buffer and permits access to the rear yard. Additionally, no height or eave height variations are requested.

Variance 3 requests an additional kitchen within the dwelling. The original intent of the restriction on second kitchens was to restrict the creation of second dwelling units. Given the implementation of second unit policies as well as new provincial legislation regulating three dwelling units as of right, additional kitchens are minor in nature. The proposed additional kitchen does not impact the streetscape, adjacent properties or the neighbourhood.

Variance 4 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note the proposed addition is to the rear of the existing dwelling and will not be seen from the street. Additionally, there are various instances along Candela Drive where the rear wall of one side of the semi-detached dwelling extends significantly beyond the rear wall of the other side of the semi-detached property in which it shares the party wall. This can be attributed to the different dwelling designs that were implemented on either side of the semi-detached dwellings on Candela Drive. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with original dwellings in the surrounding context.

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 given existing site conditions and constraints. 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: 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 addition will be addressed by our Development Construction Section through the Building Permit Process.

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







Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 23-6902. Based on review of the information available in this 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 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

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner