

City of Mississauga Department Comments

Date Finalized: 2023-12-07	File(s): A478.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-12-14 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition (secondary suite) proposing:

1. An exterior side yard setback of 4.22m (approx. 13.85ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
2. A rear yard setback of 2.34m (approx. 7.68ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) in this instance; and,
3. A new pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit this in this instance;
4. An eave overhang setback into the exterior yard of 4.05m (approx. 13.29ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.55m (approx. 18.20ft) in this instance; and,
5. An eave overhang setback into the rear yard of 2.16m (approx. 7.09ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.55m (approx. 8.37ft) in this instance.

Amendments

The applicant has submitted a revised proposal and no longer requires variance #3, as such Planning staff recommend that this variance be removed.

Background

Property Address: 2187 Sidney Drive

Mississauga Official Plan

Character Area: **Lakeview Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

Zoning: **R3-75- Residential**

Other Applications: **File SEC UNIT 23/8557.**

Site and Area Context

The subject site is situated within the Lakeview Neighbourhood Character Area, southwest of the Queensway East and Dixie Road intersection. The immediate vicinity encompasses a diverse mix of residential, utility, employment and commercial land uses. Notably, the subject site features mature vegetation in both the front and exterior side yards.

The proposed application seeks to construct an addition and second unit, necessitating variances for 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 are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings.

Variances #1, 2, 4 and 5 are regarding setbacks. Staff note that variance #1 is only required at a pinch point where the proposed garage slightly projects forward and the exterior side yard tapers inward. Staff note the exterior lot line is slanted, therefore the remaining portions of the exterior side yard maintain a width between 4.22m (13.85ft) and 7.75m (25.5ft). Variance #2 is regarding a rear yard setback. Staff note that this variance is also only required to accommodate one point of the building. Ample amenity area is provided behind the existing one-storey dwelling and two-storey addition. Variances #4 and 5 are for eave setbacks and are required as a direct result of variances #1 and 2. Staff are of the opinion that these variances represent minor increases and will not pose any massing impacts.

Planning staff identified concerns regarding variance #3 in email correspondence with the applicant. Planning staff were particularly concerned regarding the second unit entrance's integration into the design of the exterior wall facing Kendall Road. The exterior side wall is designed to give the visual impression of a semi-detached dwelling. In response to this concern, the main entrance to the second unit was relocated to the rear yard, therefore removing the need for variance #3. Staff note that the exterior wall maintains the visual appearance of a semi-detached dwelling, however, the entrance included on this wall provides an additional access to the existing one-storey dwelling, not a new access to the new unit.

Through a detailed review of the application, staff is of the opinion that the revised application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, 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 secondary unit are being addressed by our Development Construction Section through the Building Permit process, File SEC UNIT 23/8557.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing a Building Permit application 23-8557. 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel**Minor Variance: A-23-478M / 2187 Sidney Drive**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.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner