

City of Mississauga Department Comments

Date Finalized: 2024-01-10	File(s): A260.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-01-18 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. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

Application Details

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

1. An interior side yard setback of 3.43m (approx. 11.25ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.20m (approx. 13.78ft) in this instance;
2. A window well encroachment of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance;
3. A main entrance for a second unit in the front yard whereas By-law 0225-2007, as amended, only permits a main entrance for a second unit in the side or back yard in this instance; and,
4. A lot coverage of 31.66% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

Condition

Planning staff recommend that approval of the requested variances be tied to the drawings submitted.

Background

Property Address: 2401 Hammond Road

Mississauga Official Plan

Character Area: Sheridan Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007**Zoning: R1- Residential****Other Applications: Building Permit under file SEC UNIT 23-6947****Site and Area Context**

The subject property is located in the Sheridan Neighbourhood Character Area, southeast of the Dundas Street West and Erin Mills Parkway intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a detached dwelling (exact number of storeys is unknown) with significant mature vegetation in the front yard.

The variance requested is for a new secondary unit requiring variances for lot coverage, setbacks, and entrance to the secondary unit.



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 located in the Sheridan 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.

The application was deferred by the Committee on September 7, 2023 to allow the applicant an opportunity to provide a breakdown of the requested lot coverage, a front elevation drawing to evaluate the impact of the second unit and an updated site plan drawing. Staff also recommended that the applicant work with Zoning staff to confirm the accuracy of the requested variances.

Variances #1 and 2 are required for a deficient setback and encroachment into the side yard. These variances are only required at pinch points and will not impede access to the rear yard. The remainder of the side yards exceed the minimum setback requirements.

Variance #3 is required to permit a second unit entrance in the front yard. The applicant has provided a front elevation drawing depicting a new fence which will screen the proposed second unit entry. Staff also note that the front yard contains a significant amount mature vegetation which will soften its impact on the street.

Variance #4 is regarding lot coverage. The applicant has provided staff with a revised site plan drawing. The revised site plan drawing now distinguishes the existing and proposed works. The site plan also adequately breaks down the requested lot coverage. The existing lot coverage is 27.52%, the applicant is proposing an increase of 3.34% to accommodate an addition to the façade of the existing detached dwelling. Planning staff are of the opinion that this increase is numerically minor and will have a negligible impact on the streetscape. The proposed development does not represent an overdevelopment of the property.

Through a detailed review of the application, staff are 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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 3NEW-23/5981.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 23-6947. Based on review of the information available in this application, we advise that the following variance, as requested, is correct.

1. An interior side yard setback of 3.43m (approx. 11.25ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.20m (approx. 13.78ft) in this instance;

We also advise that more information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

Please note that comments reflect those provided through the above application submitted on 10/20/2023. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner