

City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A57.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 3:30:00 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. A combined side yard setback of 3.02m (approx. 9.91ft) whereas the By-law 0225-2007, as amended, requires a minimum combined side yard setback of 3.60m (approx. 11.81ft) in this instance; and,
2. A balcony area on top of a garage of 16.68sq m (approx. 179.54sq ft) whereas the By-law 0225-2007, as amended, permits a maximum balcony area of 10.00sq m (approx. 107.64sq ft) in this instance.

Background

Property Address: 104 Eaglewood Blvd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

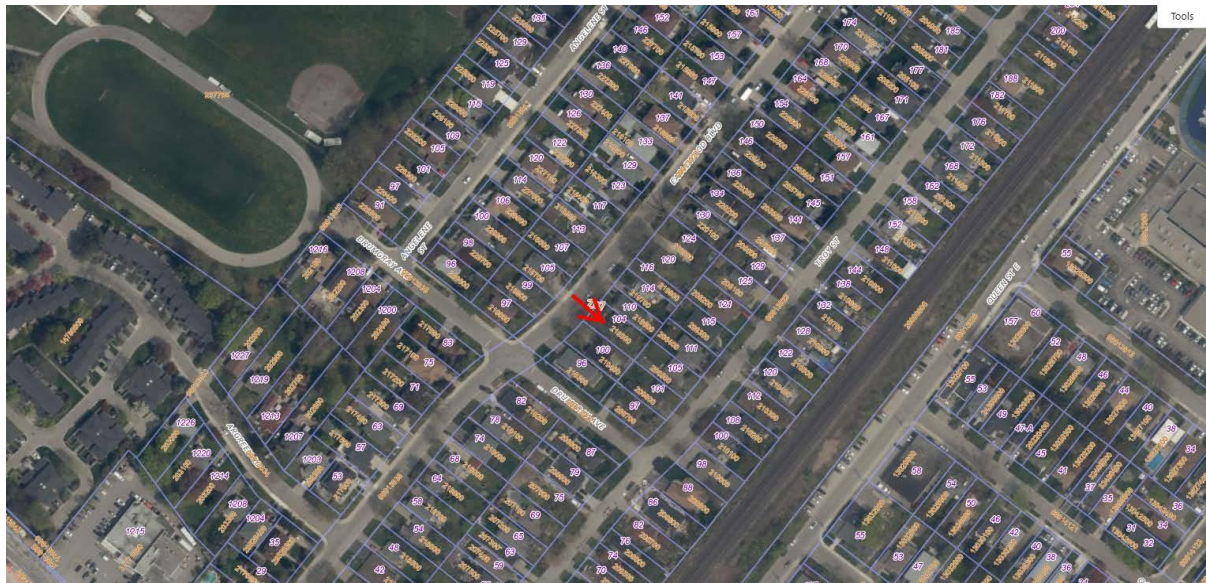
Zoning: R3-1- Residential

Other Applications: Building Permit application BP 23-9631

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Mineola Road East and Hurontario Street intersection. The neighbourhood is entirely residential, consisting of old and new one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one storey dwelling with mature vegetation in the front and rear yard.

The application is proposing a new two-storey dwelling requiring variances related to combined side yard width and balcony area.



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 within the Mineola Neighbourhood Character Area, and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. 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. Staff are of the opinion that the proposed dwelling maintains the permitted residential use and is designed to respect both the existing on-site conditions and

the surrounding context. Planning 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?

Variance #1 relates to combined side yard width of the subject property. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Staff are satisfied that the proposed combined side yard width is not out of character within the immediate neighbourhood and maintains a sufficient buffer to the neighbouring properties.

Variance #2 pertains to balcony area. The intent of the zoning regulation is to ensure balconies do not present any privacy or overlook related concerns. Staff note that the balcony is designed to be concealed within the roofline. Staff are satisfied that given its positioning and the partial screening due to the design of the roof, the balcony will not pose any privacy or overlook concerns to any residential properties.

Given the above Planning staff are satisfied that the proposal 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?

Planning staff are satisfied that the variances are minor in nature and will not have significant impacts to either the surrounding context or the streetscape. Staff are of the opinion that the application represents appropriate development of the subject property.

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 dwelling are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/9631.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 23-9631. Based on the review of the information available in this application, the requested variance(s) is/are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

104 Eaglewood Blvd - A57.24

Metrolinx is in receipt of the Minor Variance application for 104 Eaglewood Blvd to facilitate the construction of a new single-detached dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

Conditions of Approval:

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration

process. (It should be noted that the registration process can take up to 6 weeks).

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4- Region of Peel

Minor Variance: A-24-057M / 104 Eaglewood Blvd

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

Comments:

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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 is 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
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals is required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections 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 by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner