

City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A185.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 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 that all required variances have been accurately identified.

Application Details

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

1. A below grade side entrance setback of 0.72m (approx. 2.36ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
2. A right side yard second storey setback to the addition of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
3. A right side yard setback to the eaves of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the eaves of 1.36m (approx. 4.46ft) in this instance;
4. A right interior side yard balcony setback of 1.51m (approx. 4.95ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 3093 Sir John's Homestead

Mississauga Official Plan

Character Area: **Erin Mills Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

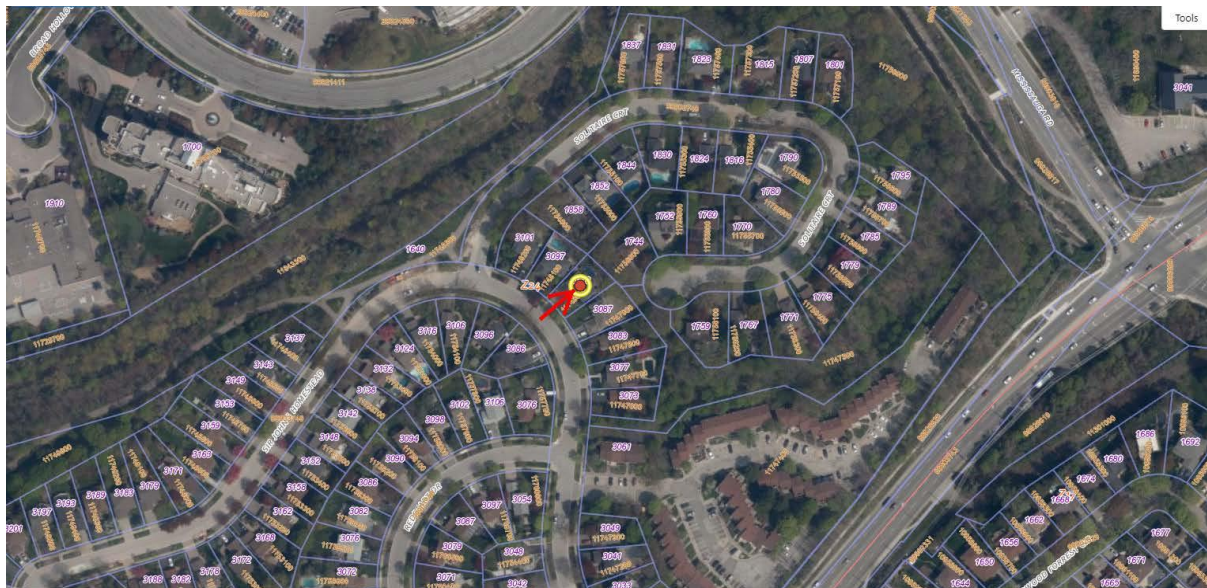
Zoning: R3- Residential

Other Applications: Building Permit application SEC UNIT 23-10326

Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, northwest of the Dundas Street West and Mississauga Road intersection. The immediate neighbourhood primarily consists of two-storey detached dwellings with mature vegetation in the front yards. Row houses exist in the greater vicinity, south of the subject property. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a two-storey addition in the front yard requiring variances related to setbacks measured to the proposed below grade entrance, second storey, eaves and balcony.



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 located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The applicant is proposing a two-storey addition in the front yard to the existing two-storey dwelling.

Variances #1-4 pertain to reductions in side yard setbacks for the below grade entrance, second storey, eave and balcony respectively. The general intent of the side yard regulations in the by-law, in this instance, is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties as well as ensuring appropriate access to the rear yard and appropriate drainage is preserved.

With regards to Variance #1, much of the proposed entrance is below grade. Staff are satisfied that the proposal creates no impacts on massing or separation between structures. Access to the rear yard is located on the other side of the dwelling maintaining access to the yard. Furthermore Transportation & Works staff have raised no drainage concerns regarding the below-grade entryway.

Variances #2, #3, #4 are for reductions in the side yard setback is measured to the second storey, the eaves and the balcony. The existing dwelling meets the minimum side yard setback requirement, and the applicant is proposing to align the addition to the existing dwelling. Staff note that the addition is small and does not span the entire width of the side wall of the dwelling. Further, staff note the lot is pie shaped due to which the setbacks are measured only to a pinch point, which increases as you move from the front of the dwelling towards the rear. Staff are satisfied that the requested variances represent a minor deviation from the minimum setback requirements.

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

Comments Prepared by: Shivani Chopra, Planning Associate

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 Building Permit SEC UNIT-23/10326.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 23-10326. 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: Andrew Wemekamp, Zoning Examiner.

Appendix 3 – Region of Peel

Minor Variance: A-24-185M / 3093 Sir John's Homestead

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

Comments:

- Installation of and alterations to property line water valves 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 the 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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner