

City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A188.24 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 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 a front porch extension proposing:

1. A lot coverage of 36.86% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
2. A front yard setback of 7.15m (approx. 23.46ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 2818 Council Ring Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

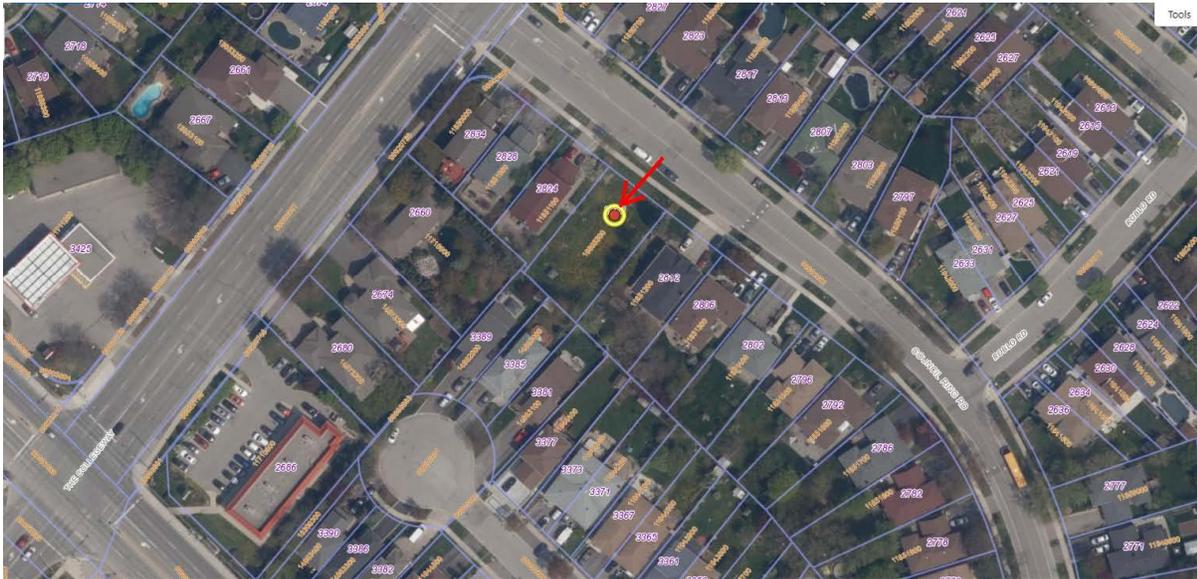
Zoning: R3- Residential

Other Applications: None

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Area, south of the Winston Churchill Boulevard and The Collegeway intersection. The immediate neighbourhood is residential consisting of a mix of one and two-storey detached dwellings on lots with limited mature vegetation in both the front and rear yards. The subject lot is currently vacant with some vegetation in the front yard.

The applicant is proposing a two-storey dwelling requesting variances for lot coverage and front yard setback.



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 Erin Mills 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. 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. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and

surrounding land uses. Therefore, planning staff are of the opinion 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 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 that the dwelling's footprint represents 33.69% of the total lot coverage in this instance, which under the maximum permissible lot coverage of 35%.

Further, the front porch represents only 3.16% of the proposed lot coverage. Staff note that the application requests an overall increase of 1.86% from the permissible regulation, which can be entirely attributed to the porch. Staff are of the opinion that the porch is partially covered and does not pose the same massing impacts as an enclosed structure and presents negligible massing concerns. Staff are satisfied that the requested increase in the overall lot coverage represents a minor deviation from the zoning by-law requirements.

Variance #2 pertains to front yard setback measured to a covered porch. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff note that the dwelling itself meets the required setbacks and that the proposed porch is a primarily open structure, mitigating potential negative impacts. A review of homes in the neighbourhood concludes that similar front yard setbacks to front porches are present throughout the neighbourhood. Staff are of the opinion that because the proposed porch is appropriately sized for the dwelling and reflects current neighbourhood conditions, the variances would not have any significant impact to the streetscape. Finally, the proposal is able to maintain an appropriate soft landscaping in the front yard.

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?

Staff are satisfied that the proposal represents appropriate development of the subject lands. It is staff's opinion that the proposal poses no massing concerns on abutting properties and that the application maintains the existing and planned context of the surrounding area. Further, staff are satisfied that the variances, both individually and cumulatively, are minor in nature as the proposal will not create any undue impacts to adjoining properties.

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 porch will be addressed by our Development Construction Section through Building Permit BP 9NEW-23/4345.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner