

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-10-30	File(s): A450.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:11/7/2024 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 the construction of an addition proposing:

1. A southerly eave encroachment of 1.07m (approx. 3.51ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance;
2. An easterly eave encroachment of 0.59m (approx. 1.94ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance; and,
3. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 2316 Woking Cres

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

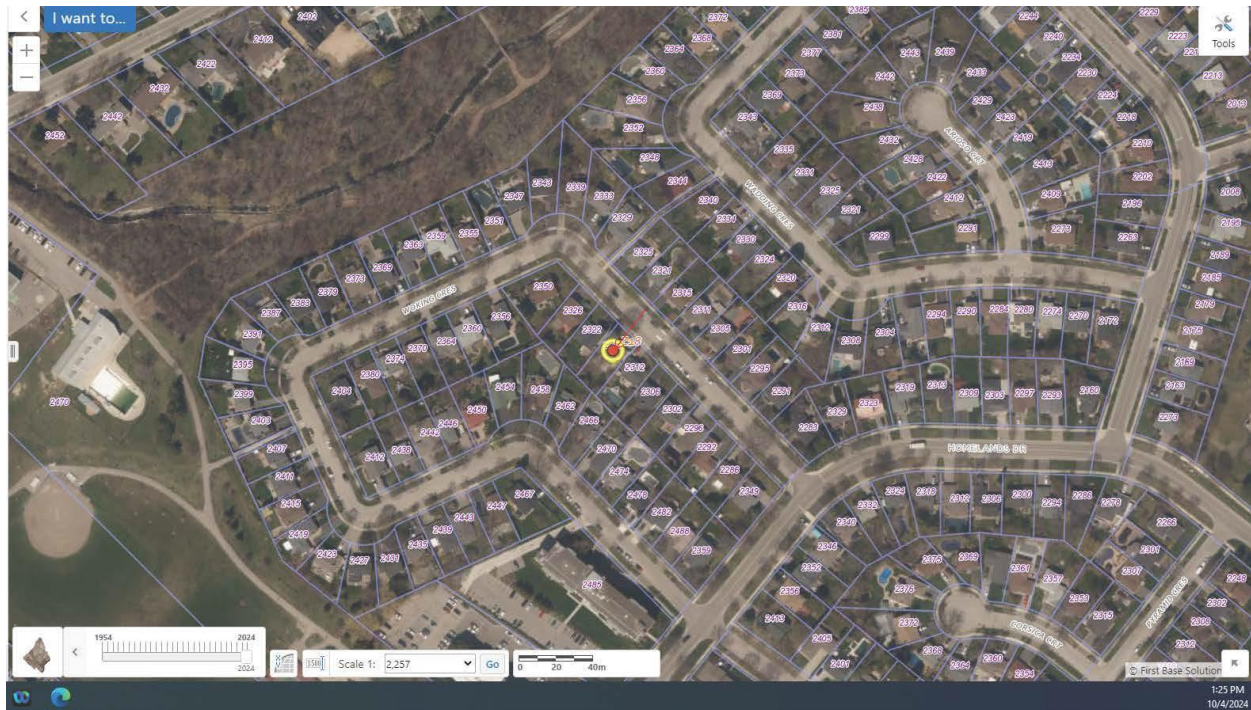
Zoning By-law 0225-2007

Zoning: R3 - Residential

Site and Area Context

The subject site is situated within the Sheridan Neighbourhood Character Area, northeast of the Sheridan Park Drive and Speakman Drive intersection. The immediate vicinity encompasses a diverse mix of residential uses, including two five-storey apartment buildings and one and two-storey detached dwellings. The subject site currently contains an existing two-storey dwelling.

The application is proposing an addition to the dwelling requesting variances for eave encroachment and side 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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex 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. The proposed addition conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. 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 and Variance #2 pertain to eave encroachment. Variance #3 pertains to side yard setback. The general intent of this portion of the bylaw is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, access to rear yard remains unencumbered and that appropriate drainage patterns are preserved. Staff note that the proposed addition would align with the existing dwelling as the proposed setback reflects existing conditions. Further the addition is limited to one storey in height. Staff are satisfied that the reduction in the setbacks do not provide negative massing impacts on adjoining properties and that access to rear yard remains unencumbered. Staff are of the opinion that the eaves do not pose similar massing concerns as the main dwelling. Further, no drainage concerns have been raised by Transportation and Works staff.

Given the above, staff are satisfied that the intent and purposed of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that the overall impact created by the proposed variances is minor in nature. It is staff's opinion that the proposed addition is sympathetic to the surrounding area and does not impact the neighbouring properties. Staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, 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 dwelling will be addressed by our Development Construction Section through the future Building Permit process.

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-24-450M / 2316 Woking Crescent

Development Engineering: Brian Melnyk (brian.melnyk@peelregion.ca)(905) 791-7800 x3602

Comments:

- 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 by email at siteplanservicing@peelregion.ca.
- 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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Schedule 1

Conditions

- None