

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-12-09	File(s): A337/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-12-17

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A gross floor area of 628.75sq.m (approx. 6,767.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 335.47sq.m (approx. 3,610.97sq.ft) in this instance;
2. A lot coverage of 26.92% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
3. A dwelling depth of 21.55m (approx. 70.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A northerly side yard to a second storey of 1.97m (approx. 6.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey of 2.41m (approx. 7.91ft) in this instance; and
5. A northerly side yard to a second storey balcony of 2.12m (approx. 6.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey balcony of 2.41m (approx. 7.91ft) in this instance.

Background

Property Address: 1496 Pinetree Crescent

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Greenlands, Residential Low Density I

Zoning By-law 0225-2007

Zoning: **G, R1-2** (Greenlands, Residential)

Other Applications:

Building Permit: 20-2334

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and the Queen Elizabeth Way (QEW). The neighbourhood is entirely residential consisting of large lots with significant mature vegetation, containing one and two storey detached dwellings. The subject property is a deep lot with an existing two storey dwelling that has mature vegetation mostly located in the side and rear yards. The property also abuts the Credit River

The application proposes a new second floor balcony and minor interior and exterior renovations to the existing dwelling. As such, variances are required for an increased gross floor area, side yard setback, lot coverage and dwelling depth.

The application was previously deferred from the October 29th, 2020 agenda to verify the accuracy of the requested variances.



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 I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. As per Section 16.18.1 of the infill regulations for the Mineola neighbourhood, new housing is encouraged to fit the scale and character of the surrounding area. In this instance, the external changes to the dwelling are limited to the enclosure of the rear covered balcony, adding to the overall gross floor area and the addition of a balcony on the northerly side of the dwelling. The proposed addition does not add any significant massing to the existing dwelling, thereby limiting the impact to abutting properties. As such, staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 proposes a gross floor area of 628.75 m² whereas a maximum of 335.47 m² is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. In this instance, the proposed renovations and enclosure of the second floor rear balcony accounts for approximately 26.45 m² of the gross floor area. The remaining gross floor area is existing, resulting in the dwelling preserving the existing and planned character of the neighbourhood, thereby maintaining compatibility with the character of the streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances mostly relate to the existing conditions. The proposed balcony on the northerly side of the dwelling accounts for approximately 1% of the lot coverage and does not add any significant massing to the dwelling. Furthermore, the side yard setback is an existing condition and is sufficiently separated from the neighbouring lot. The proposed balcony setback is a minor deviation from the zoning by-law which does not create any additional undue impact to the neighbouring property from what is permitted. As such, the remaining variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

Through discussions with the Zoning Division, more information is required to be submitted through the building permit process in order to verify the accuracy of the requested gross floor area.

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

The dwelling maintains the character of the surrounding neighbourhood as a majority of the gross floor area sought in this application already exists. The proposed renovations and enclosure of the rear porch account for approximately 26.45 m² which does not add any significant massing to the dwelling. The porch enclosure will not impact the streetscape character or abutting properties due to the enclosure being in the rear yard, therefore mitigating any potential massing impacts to neighbouring properties. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Zoning Examiner

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 through the current Building Permit application process, BP 9ALT-20/2334.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2334. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that the subject property is located within the following Core Areas of the Greenlands Systems in Peel, under Policy 2.3.2 the Regional Official Plan (ROP):

1. Core Area – Valley Corridor
2. Core Area – Area of Natural and Scientific Interest (ANSI) (Life Science)
3. Core Area – Environmentally Significant Area (ESA)
4. Core Area – Wetland

The entirety of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner