

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A122.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

The applicant requests the Committee allow the construction of an addition proposing:

1. A front yard measured to the dwelling of 6.46m (approx. 21.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 3.45m (approx. 11.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;
3. A front yard measured to the eaves of 5.86m (approx. 19.22ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 24.61ft) in this instance;
4. A side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
6. A westerly side yard measured to the eaves of 0.37m (approx. 0.21ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
7. A dwelling unit depth of 22.02m (approx. 72.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
8. A maximum driveway width of 8.64m (approx. 28.35ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
9. A minimum driveway width of 2.07m (approx. 6.79ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;

10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance; and
11. A building height measured to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

The following variances should be amended as follows:

4. A westerly side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A westerly side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.50m (approx. 31.17) in this instance;

Background

Property Address: 719 Third Street

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Other Applications

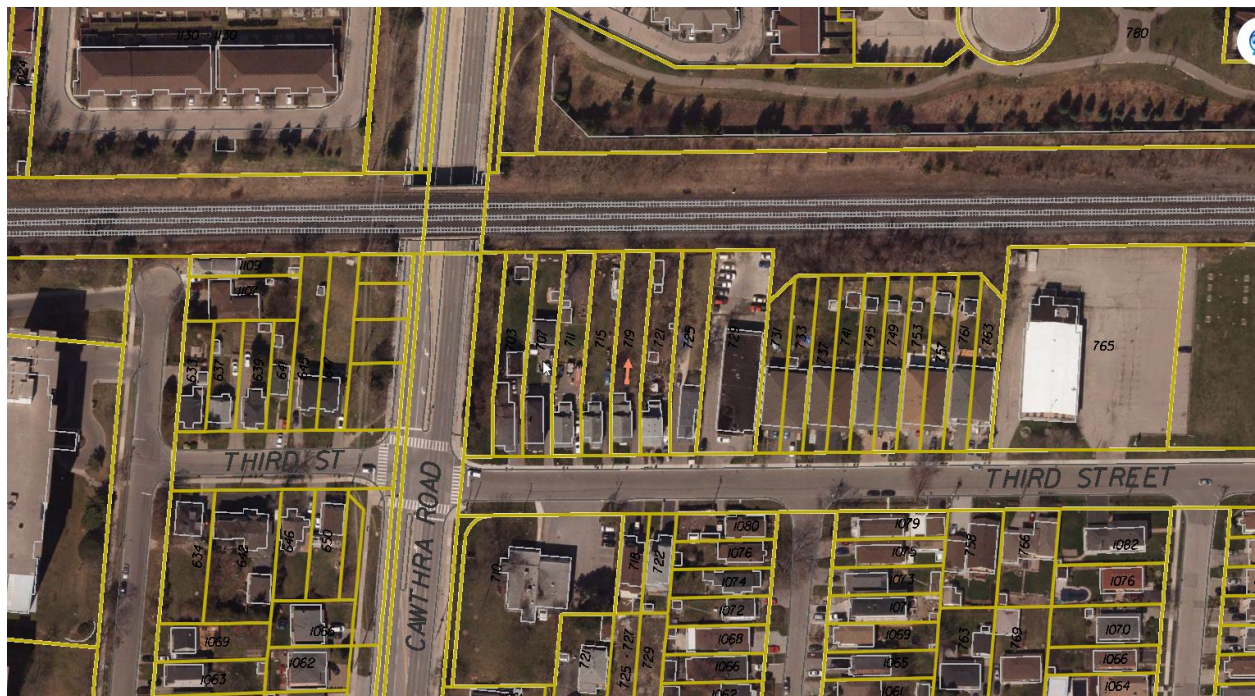
Pre-Application: 20-3479

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of Cawthra Road and Lakeshore Road East. The surrounding area is primarily residential, consisting of one and two storey detached dwellings with mature vegetation. The immediate

area also contains a fire station, a motor vehicle service use and an establishment known as the Army Navy and Air force Veterans Club. The subject property contains an existing one and a half storey dwelling with mature vegetation in the rear yard and abuts the railway corridor.

The applicant is proposing a new two storey dwelling, requiring variances related to front and side yard setbacks, dwelling depth, driveway widths and heights measured to the highest ridge and eaves.



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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and 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. Additionally, Section 10.3 (Built Form Types) of the Lakeview Local Area Plan states that new

housing within Lakeview should maintain the existing character of the area. The proposed variances regarding deficient side yard setbacks measured to the first and second storey, dwelling depth and heights, create a dwelling that significantly impacts the neighbouring properties and not compatible with the surrounding neighbourhood. As such, staff recommends that the application be deferred for redesign.

Conclusion

The Planning and Building Department recommends that the application be deferred for redesign.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that the Development Construction Section of the Transportation and Works Department is currently reviewing a grading plan for the proposed addition, driveway and rear yard garage through the Secondary Unit Permit process, File SEC UNIT 20/4128.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application SEC UNIT 20-4128. Zoning staff recommends the following variances to be amended:

4. A westerly side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A westerly side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.50m (approx. 31.17) in this instance; and

These amendments are based on a review of the building permit plans received by Zoning staff on 3/4/2021.

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Brian Bonner – Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner