

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A261.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 39.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
4. A building height measured to a flat roof of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 7.50m (approx. 24.60ft) in this instance; and
5. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.

Background

Property Address: 926 Goodwin Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential, consisting of one storey and newer two storey detached dwellings with mature vegetation. The subject property received provisional consent approval on October 31st, 2019 severing the lot into two new parcels for the purpose of developing detached dwellings.

The applicant is proposing a new two storey dwelling requiring variances related to lot coverage, side yard setbacks, flat roof height and eave overhang.



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 received provisional approval on October 31st, 2019 to sever the existing parcel into two new lots with frontages of 10.06m and lot areas of 454.90m². Through discussions with the Committee of Adjustment office, the conditions of provisional consent were not cleared within the one year period. A certificate of approval was never issued and the conditions associated with the consent have now expired. As such, the applicant is required to submit a new consent application requesting approval for the creation of two new lots.

Based on the preceding information, staff recommends that the application be deferred to allow the applicant time to submit a consent application and corresponding minor variance application required for a reduced lot frontage and lot area supporting the new lots, as well as the variances required for the detached dwelling.

Conclusion

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

Comments Prepared by: Lucas Petricca, 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 through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-261/21

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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.

Comments Prepared by: Diana Guida, Junior Planner