

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-08-18	File(s): A312.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

## Consolidated Recommendation

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to redesign.

## Application Details

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

1. A gross floor area of 407.57sq.m (approx. 4387.05ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

## Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, staff note that variance #2 should be amended as follows:

2. A side yard (westerly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and

## Recommended Conditions and Terms

"[Enter terms and conditions here]"

## Background

**Property Address:** 1877Hindhead Road

### Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

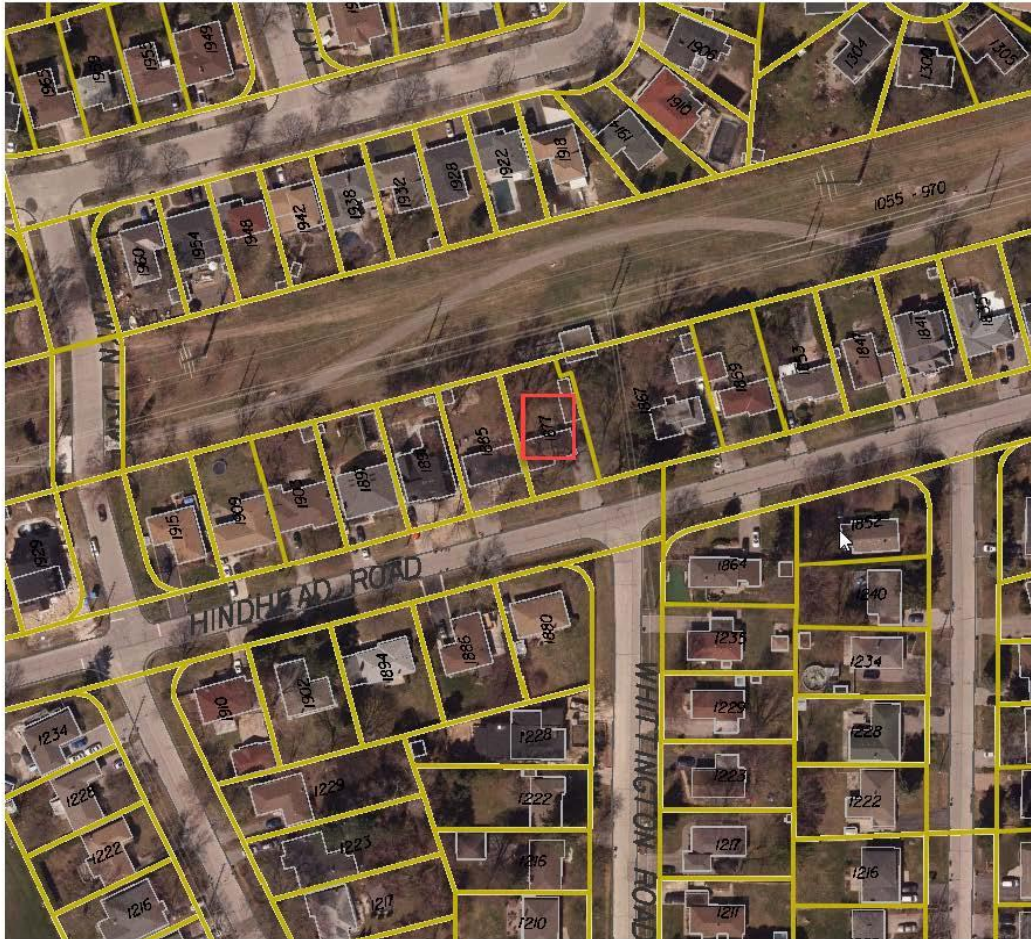
**Zoning:** R3-1 - Residential

**Other Applications:** SPI 21-28 W2

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Southdown Road and Royal Windsor Drive intersection. The neighbourhood is entirely residential, consisting of old and new one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one storey dwelling with mature vegetation in the front, rear and side yards.

The application proposes a new two storey dwelling requiring variances related to gross floor area, side yard and building height.



## 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 (MOP), which permits detached, semi-detached, duplex and triplex dwellings. Upon review of new two storey detached dwellings in the neighbourhood, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility between the existing dwellings on the street nor would it preserve the established character of the neighbourhood. Additionally, the proposed dwelling's eave height and side yard (westerly) setback will cause significant massing issues and will directly impact the neighbouring property to the west. The westerly wall of the dwelling does not contain mitigating features to break up the dwelling's massing. As such, staff recommends that the application be deferred for redesign.

## Conclusion

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to redesign.

Comments Prepared by: Connor DiPietro, 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 are being addressed through the Site Plan Application process, File SPI-21/028.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

SP RECEIVED, CORRECT VARIANCE

The Building Department is currently processing a site plan approval application under file SPI 21-28. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 02/08/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval 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: A. McCormack

### **Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands to the rear of the subject property are owned by Hydro One and leased by the City of Mississauga, known as Nine Creeks Trail.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.
4. Tree preservation securities may be required as a condition of site plan approval for street trees located within the Municipal Boulevard.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 4 – Heritage**

N/A

### **Appendix 5 – Region of Peel Comments**

Minor Variance Application: A-312/21

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.

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 at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner