

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A345.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard measured to the front porch roof structure of 5.26m (approx. 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch roof structure of 5.90m (approx. 19.36ft) in this instance;
2. A centreline setback measured from North Service Road to the porch roof structure of 16.70m (approx. 54.79ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the porch rood structure of 17.50m (approx. 57.41ft) in this instance;
3. A centreline setback measured from North Service Road to the carport of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the carport of 17.50m (approx. 57.41ft) in this instance;
4. A westerly side measured to the third storey of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the third storey of 2.42m (approx. 7.94ft) in this instance;
5. A westerly side measured to the carport of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the carport of 1.20m (approx. 3.94ft) in this instance;
6. A building height measured to the highest ridge of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance; and
7. A building height measured to the eaves of 7.93m (approx. 26.02ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves 6.40m (approx. 21.00ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 835 North Service Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75- Residential

Other Applications: PRE-APP 21-5550, A307/19 (Approved)

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of Cawthra and the Queen Elizabeth Way (QEW). The area consists of one and two storey single detached dwellings with limited vegetation in the front and rear yards. The subject property contains a two storey detached dwelling with little vegetation in the rear yard.

The application proposes an addition requiring variances related to front yard, centreline setback, westerly side yards and building heights.

"[Enter air photo]"

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:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, and duplex dwellings.

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 9.2.2.3 of the MOP states that while new development need not mirror existing development, new development in Neighbourhoods will respect the continuity of front, rear and side yard setbacks.

The proposed height variances will create a three storey dwelling that is out of character with the area and will have significant impacts on the neighbouring properties, particularly the abutting property to the west. Staff emailed the applicant's agent to confirm where the side yard setbacks had been measured from and did not receive a response to the request to identify where variances #4 and #5 are located. The westerly side yard setbacks proposed are not consistent with setbacks in the immediate area and do not provide an adequate buffer between the proposed addition and the detached dwelling on the abutting property to the west.

As such, staff recommend that the application be deferred for redesign to reduce the building height to both the proposed highest ridge and eaves, and to increase the westerly setbacks proposed.

Conclusion

The Planning and Building recommends that the application be deferred for 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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 19/6594.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application 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. Alternatively, the

City Department and Agency Comments	File:A345.21	Enter date.	5
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applicant may wish to apply for a pre-zoning review application and submit working drawings in order for a full zoning review to be completed. Depending on the complexity of the proposal, a minimum of 6-8 weeks will be required to process a pre-zoning review application.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)