

City of Mississauga Department Comments

Date Finalized: 2021-09-28	File(s): A392.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 3:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a lot coverage of 39% whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 35% in this instance.

Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law, Planning staff note that the requested variance should be amended as follows:

A lot coverage of 39% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

Background

Property Address: 1124 Halliday Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Low Density Residential I

Zoning By-law 0225-2007

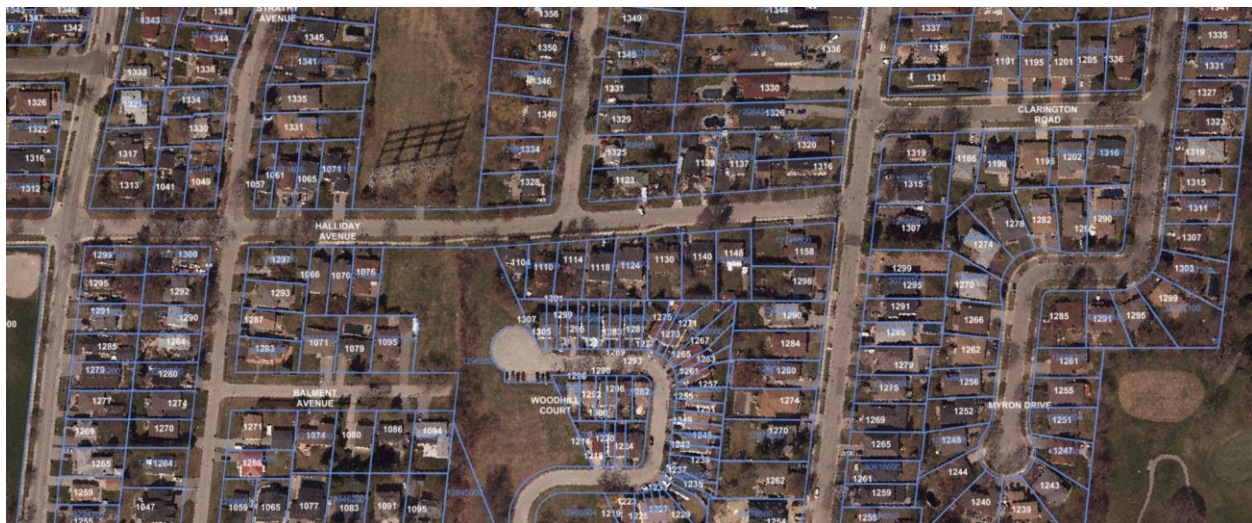
Zoning: R3-75 - Residential

Other Planning Applications: Unknown

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Ogden Avenue and Atwater Avenue. The neighbourhood is entirely residential consisting of old and new one and two storey detached dwellings on lots with mature vegetation in the front yards. The subject property is two storey detached dwelling with landscape elements in the front yard.

The application proposes a deck, requiring a variance for lot coverage.



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 I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. The intent of the

zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 39% when a maximum lot coverage of 35% is permitted. Staff note that 35% of the lot coverage is attributed to the dwelling's footprint, which meets the zoning by-law requirement, and that the variance requested is required to accommodate the proposed deck and existing accessory structures. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendix 1 – Transportation and Works Comments

Enclosed for Committee’s easy reference are photos of the existing deck and stairs.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-6256. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner