

City of Mississauga Department Comments

Date Finalized: 2021-10-26	File(s): B55.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-11-04 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 11.06m and a depth of approximately 36.73m.

Background

Property Address: 1173 Alexandra Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 - Residential

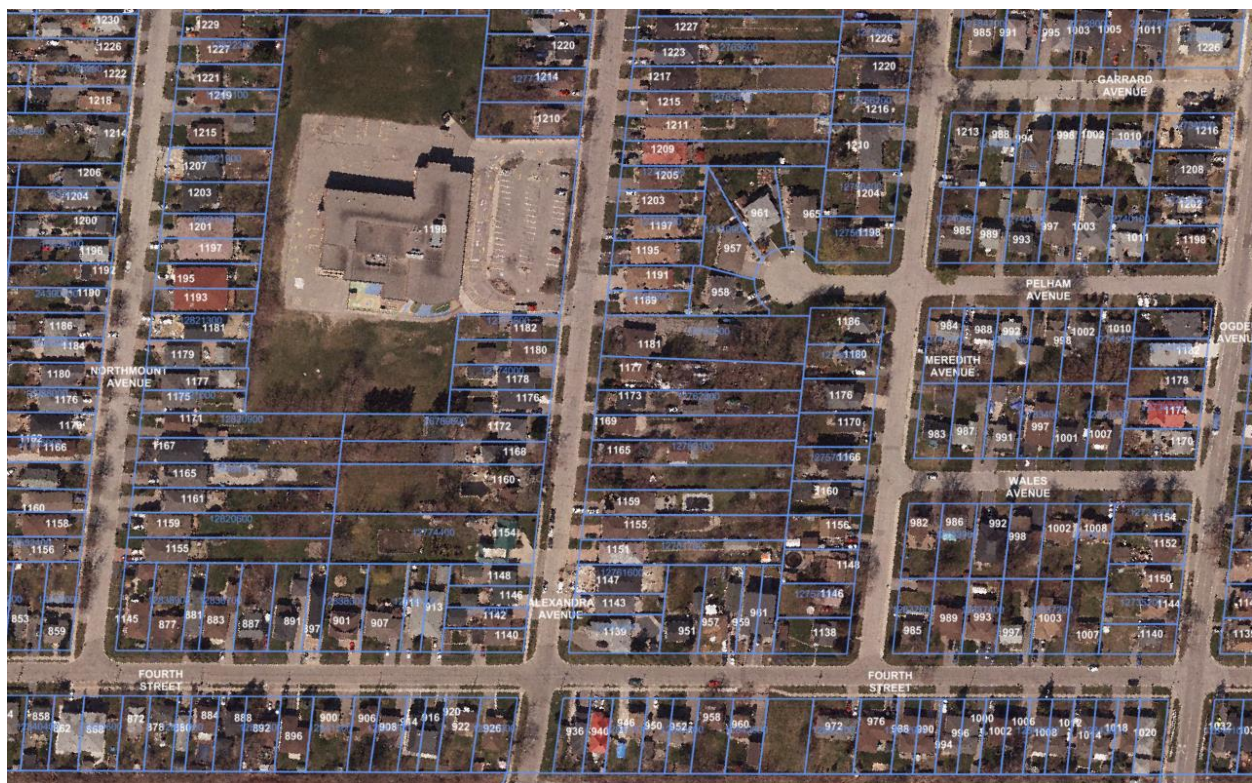
Other Applications

Pre-Application: 20-3827

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Cawthra Road and Atwater Avenue. The neighbourhood is primarily residential, consisting of a mix of detached and semi-detached dwellings that are one and two storeys in height. The subject property contains an existing one storey detached dwelling with vegetation in the rear yard.

The applicant is proposing a new three-storey dwelling requiring variances related to lot coverage, deficient front and side yard setbacks and eave 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:

This application was previously deferred by the Committee of Adjustment on June 17th, 2021. Staff noted in the report dated June 9th, 2021, concerns with the excessive eave height proposed. Staff noted additional flat and sloped roof height variances would also be required to accommodate the proposed design. The applicant has since revised their proposal and submitted an entirely new set of drawings and variances.

Variance #1 proposes a lot coverage of 44.47% whereas a maximum of 40% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the proposed rear deck and front porch, which does not present any significant massing concerns to the abutting properties. The dwelling itself maintains a lot coverage of 37%, less than the maximum permitted.

Variances #2 and 3 pertain to building and eave height. Planning staff have discussed these changes with other staff, who have expressed concerns with the new proposal. Planning Staff are of the opinion that the proposed heights are still excessive resulting in a significant increase to the overall massing of the dwelling, which still presents concerns to the neighbouring properties and streetscape character.

Through conversations with the applicant, it was noted that additional variances would be required for front yard setbacks and flat roof height. Staff is of the opinion that these variances may still be required.

Staff is of the opinion that the application should be deferred to identify the correct variances required and to reduce the height variances required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request to attach the severed lands to the lands immediately to the south of the property known as 1165 and 1169 Alexandra Avenue for the purposes of a land assembly.

In view of the above, we have no objections to the applicant's request. We would recommend that the owner of the subject lands review their records and be satisfied that any underground services to either the severed or retained lands are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-26.