

City of Mississauga Department Comments

Date Finalized: 2021-11-17	File(s): A491.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 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 an addition proposing:

1. A height of eaves of 7.15m (approx. 23.46ft) from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
2. A front yard setback of 3.49m (approx. 11.45ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
3. A front yard setback to the porch of 3.71m (approx. 12.17ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to a porch of 4.40m (approx. 14.44ft) in this instance; and
4. A front yard setback to the porch stairs of 1.93m (approx. 6.33ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to porch stairs of 4.40m (approx. 14.44ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in this application, we would request that the widened driveway area within the municipal boulevard be reinstated with topsoil and sod and that the asphalt ramp that has been placed along the barrier curb be removed.

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

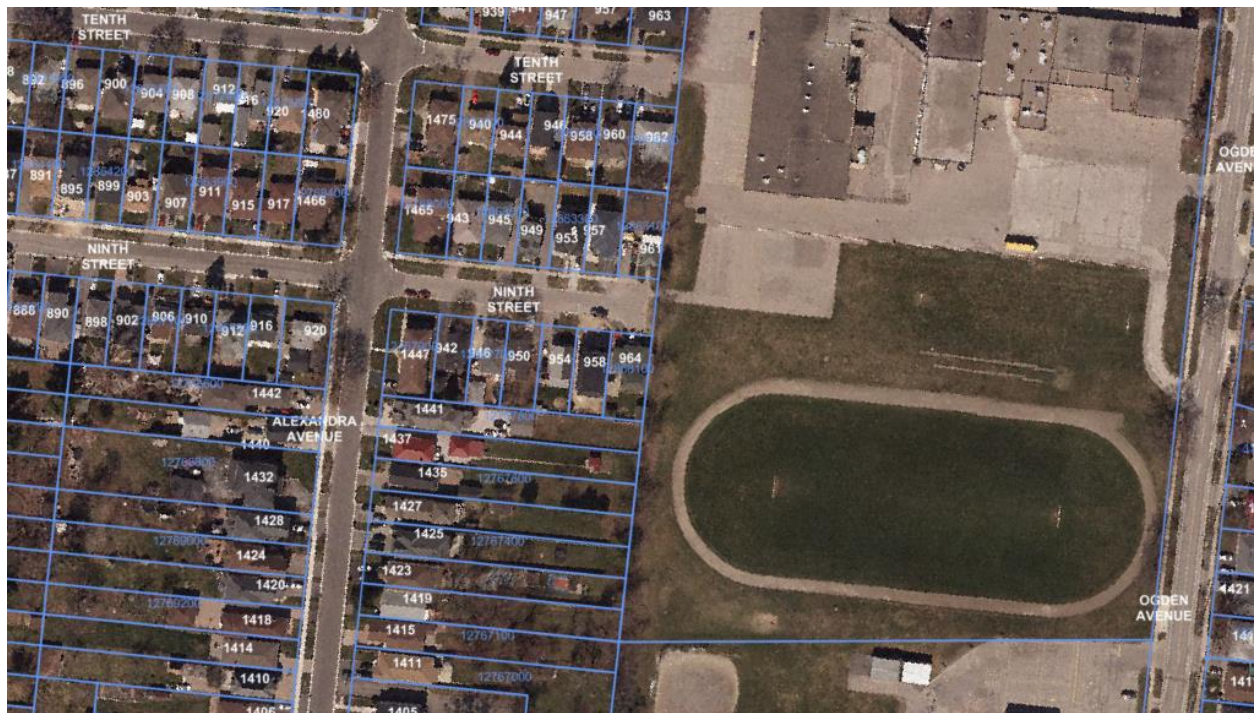
Zoning: RM1-26 - Residential

Other Planning Applications: Building Permit – BP 9ALT 21-8176

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, northeast of Ogden Avenue and Atwater Avenue. The immediate neighbourhood is residential consisting of an eclectic mix of older and newer one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with no vegetation in the front yard.

The applicant is proposing an addition to the main dwelling requiring variances for front yard setbacks and 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 of the four tests to this minor variance request 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.

Staff has no concerns with the proposed variances. Variances #1 pertains to the height of the eaves. Staff note a discrepancy of 0.18m (0.59ft) between the dwelling's average and established grades. From a streetscape perspective, the discrepancy results in a proposed height of 6.97m (22.87ft), which represents a minor deviation from the maximum permitted in the zoning by-law.

Variances #2, 3 and 4 pertain to front yard setbacks. Variance #2 is consistent with front yards found in the immediate area. Variance #3 is existing, and therefore will have a negligible impact on the streetscape, and Variance #4 is to porch stairs, which do not present any massing impacts. While staff have no concerns with the variances as proposed, staff note that the drawings submitted indicate only one parking space on the subject property when two are required. Staff are continuing to work with the applicant on a revised proposal that will incorporate the required additional parking space (totally two spaces). As such, staff recommend that the application be deferred to allow the applicant more time to work with staff to address the parking deficiency on the subject property.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information please find a photo depicting the existing property. We draw attention to the widened driveway and asphalt ramp that has been placed along the municipal raised curb along Ninth Street. Should Committee see merit in this application, we would request that the widened driveway area within the municipal boulevard be reinstated with topsoil and sod and that the asphalt ramp that has been placed along the barrier curb be removed.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 21-8176. 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: Sherri Takaloo, Zoning Examiner