

City of Mississauga Department Comments

Date Finalized: 2021-12-22	File(s): A3.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 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 a new dwelling proposing:

1. A lot coverage of 36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A dwelling height of 9.61m (approx. 31.53ft) measured to the highest ridge whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.50m (approx. 31.17ft) measured to the highest ridge in this instance;
3. An eaves encroachment of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment of 0.45m (approx. 1.47ft) into any required yard in this instance;
4. A side yard setback of 1.80m (approx. 5.91ft) to the eaves whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.96m (approx. 6.43ft) in this instance;
5. A combined width of side yards of 6.5m (approx. 21.3ft) whereas By-law 0225-2007, as amended, a minimum combined width of side yards of 9.03m (approx. 29.63ft) in this instance;
6. A window well encroachment of 1.98m (approx. 6.50ft) into the front yard whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) into a required yard in this instance;
7. A window well encroachment of 1.07m (approx. 3.51ft) into the side yard whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) into a required yard in this instance;
8. A front yard setback to the window well of 5.96m (approx. 19.55ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 11.39m (approx. 37.37ft) in this instance;
9. A front yard setback to the garage of 8.06m (approx. 26.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.0m (approx. 39.4ft) in this instance.
10. A front yard setback to the porch of 5.67m (approx. 18.60ft) whereas By-law 0225-2007,

as amended, requires a minimum of front yard setback of 10.40m (approx. 34.12ft) in this instance;

11. A front yard setback to the dwelling of 7.5m (approx. 24.6ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.0m (approx. 39.4ft) in this instance;

12. A setback of 2.67m (approx. 8.76ft) from the swimming pool to the G1 Zone (Greenland) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.00m (approx. 16.40ft) for a swimming pool in a Residential Zone to a G1 Zone (Greenland) in this instance;

13. A walkway attachment of 1.8m (approx. 5.9ft) to the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.5m (approx. 4.9ft) to a driveway in this instance;

14. To permit a dwelling unit with two kitchens whereas By-law 0225-2007, as amended, only permits one kitchen per dwelling units in this instance;

15. To permit all existing decks, stairs, pool decking, stones and retaining walls to remain within the G1 Zone (Greenlands) whereas By-law 0225-2007, does not permit structures within a G1 Zone (Greenlands) in this instance; and,

16. A setback of 5.36m (approx. 17.59ft) from the dwelling to the G1 Zone (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.1ft) from a dwelling to a G1 Zone (Greenlands) in this instance.

Background

Property Address: 451 Temagami Crescent

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Greenlands & Residential Low Density 1

Zoning By-law 0225-2007

Zoning: R1-2 - Residential; G1 - Greenlands

Other Applications:

Preliminary Application Meeting: PAM 20-283 and 21-200; Site Plan Infill: 21-107; Demolition: HPA – 21-3

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood, southeast of South Sheridan Way and Mississauga Road. The neighbourhood is entirely residential consisting of newer and older 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 mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances for lot coverage, dwelling height, eaves and window well encroachments, setbacks and a walkway attachment.



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 & Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The entirety of the proposal is on lands designated Residential Low Density I, which permits detached, semi-detached, duplex dwellings.

The applicant has requested the Committee to approve minor variances #1-16 to allow the construction of a new dwelling on the subject property. Planning staff have noticed multiple discrepancies between the submitted drawings, supporting documents and the requested

variances. Due to the discrepancies and inaccuracies, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to submit a revised list of variances and/or drawings. Planning Staff request that the applicant take an opportunity to review the proposal with Planning and Zoning staff prior to resubmission, in order to determine the accuracy of the requested variances, identify new variances (if required), and to discuss staff's planning concerns.

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 will be addressed through the current Site Plan application SP-21/107.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-107. 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

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. The lands to the rear of the property are City owned lands, identified as the Credit River (P-234) and within the Natural Hazard Lands, zoned OS, that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
 - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
 - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
3. Tree preservation hoarding and securities may be required as part of the site plan control process.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

A Heritage Impact Assessment (HIA) was submitted to the City on December 11, 2020. The site plan provided as part of this application does not match the HIA previously submitted. This

application will need to be deferred until an addendum to their HIA is provided outlining the new construction plans.

Comments Prepared by: Andrew Douglas, Heritage Analyst