

City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A4.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant request the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An interior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. A dwelling unit depth of 28.6m (approx. 93.8ft), whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.0m (approx. 65.6ft) in this instance;
3. A dwelling height of 8.0m (approx. 26.2ft) measured from average grade to the lower edge of the eaves whereas By-law 225-2007, as amended, permits a maximum dwelling height of 6.4m (approx. 21.0ft) measured from average grade to the lower edge of eaves in this instance; and,
4. The projection of a garage beyond the front wall of the second storey in the R15-8 Exception Zone whereas By-law 0225-2007, as amended, does not permit a garage to project beyond the front wall of the second storey in the R15-8 Exception Zone in this instance.

Background

Property Address: 134 Cumberland Drive

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-8 - Residential

Other Applications:

None

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, south of the Enola Avenue and Lakeshore Road East Intersection. Immediately abutting the property to the east is Adamson Estate. The surrounding neighbourhood consists of one and a half and two storey-detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing two-storey dwelling with minimal vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to eave height, interior side yard setbacks, dwelling unit depth and garage projection.

**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 (MOP), which permits detached, semi-detached and duplex dwellings.

Due to the unique and organic architectural design of the proposed dwelling, Staff is unable to determine the roof type of the proposed dwelling based off the drawings submitted. On January 7th, 2022, Planning Staff contacted the applicant's agent and requested additional drawings of the proposed roofs with slopes and calculations. Staff also inquired with the applicant as to whether any landscape plans or arborist reports have been prepared/completed to determine the extent of tree removal/injury on the subject property. Staff have not received a response from the applicant. At this time, staff are unable to determine the extent in which the application meets the criteria established by Section 45 of the Planning Act.

In the absence of additional information, Planning Staff are of the opinion that any variance in this regard is premature until such time that the requested information is provided.

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 required future Building Permit Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner