

City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A30.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 PM

Consolidated Recommendation

The City recommends 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 dwelling height of 8.13m (approx. 26.67ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 7.50m (approx. 24.61ft) in this instance;
2. A dwelling depth of 27.94m (approx. 91.67ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An exterior side yard setback of 2.25m (approx. 7.38ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.00m (approx. 16.40ft) in this instance;
4. A side yard setback to the second storey balcony of 2.46m (approx. 8.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 5.00m (approx. 16.40ft) to the second storey balcony in this instance;
5. A front yard setback to the garage of 6.62m (approx. 21.72ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.61ft) in this instance; and,
6. 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.

Background

Property Address: 1706 Lincolnshire Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

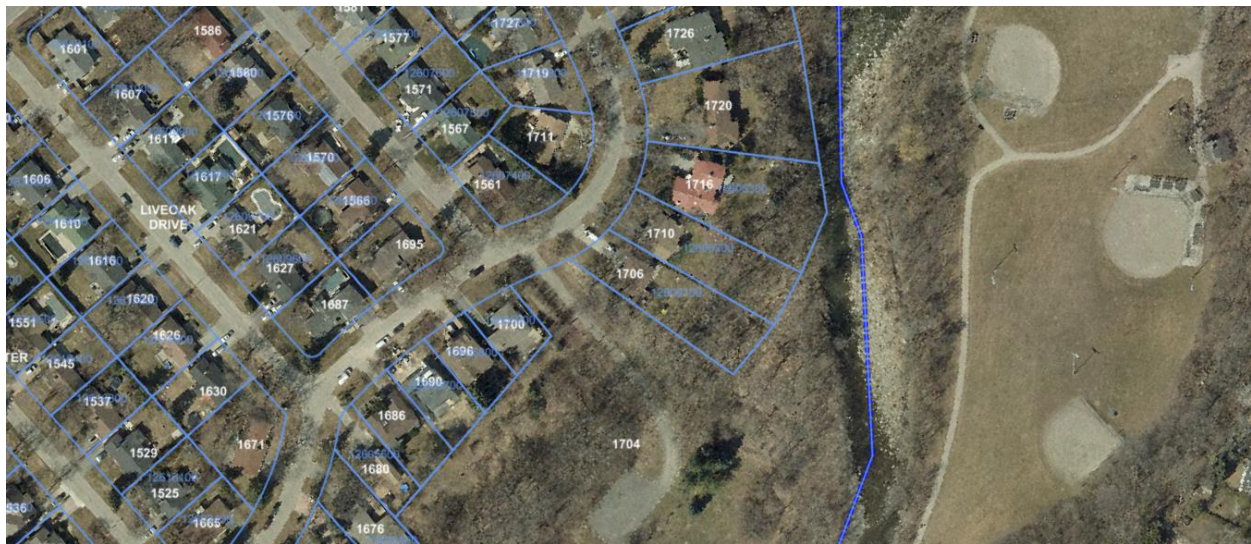
Other Applications:

Preliminary Zoning Review application - PREAPP 21-5926.

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, southeast of Dixie Road and South Service Road. Directly abutting the subject property to the east is Etobicoke Creek. The neighbourhood is entirely residential consisting of one and two storey-detached dwellings, on large lots with mature vegetation in the front yards. The subject property is a two storey detached dwelling with mature vegetation in the side yards.

The applicant is proposing a new dwelling requiring variances for dwelling height, dwelling depth, 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 in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings.

The applicant has requested the Committee to approve minor variances to allow the construction of a new dwelling on the subject property. Upon review of the application, staff have noticed multiple discrepancies between the submitted drawings and the requested variances. Planning and Zoning Staff have also determined that the variances requested are inaccurate and additional variances are required. Due to the inaccuracies and discrepancies, 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 verify the variances requested with zoning staff and submit a revised list of variances and/or drawings.

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 future Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-5926. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to 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 Not Yet Named Park (P-019) and within the Natural Hazard Lands, zoned G-1, 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.

The requested exterior side yard setback is a reduction to City Owned G1 lands.

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following condition:

1. The applicant shall provide horizontal tree hoarding to the dripline adjacent to City Owned G1 lands to the satisfaction of City of Mississauga Park Planning Staff. Please call Jim Greenfield at 905-615-3200 ext. 8538 to arrange a hoarding inspection.

Community Services provides the following notes:

1. Stockpiling, construction access and encroachment of construction materials in the adjacent park is not permitted.

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