

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A176.22 Ward 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

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

1. A gross floor area – infill of 442.48sq.m (approx. 4,762.82sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill of 407.25sq.m (approx. 4,383.60sq.ft) in this instance;
2. A combined width of side yards of 5.05m (approx. 16.57ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.74m (approx. 22.11ft) in this instance;
3. A side yard setback of 2.11m (approx. 6.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance; and,
4. A setback to the window well of 0.90m (approx. 2.95ft) whereas By-law 0225-2007, as amended, permits a minimum setback of 1.19m (approx. 3.90ft) in this instance.

Background

Property Address: 826 Calder Dr

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

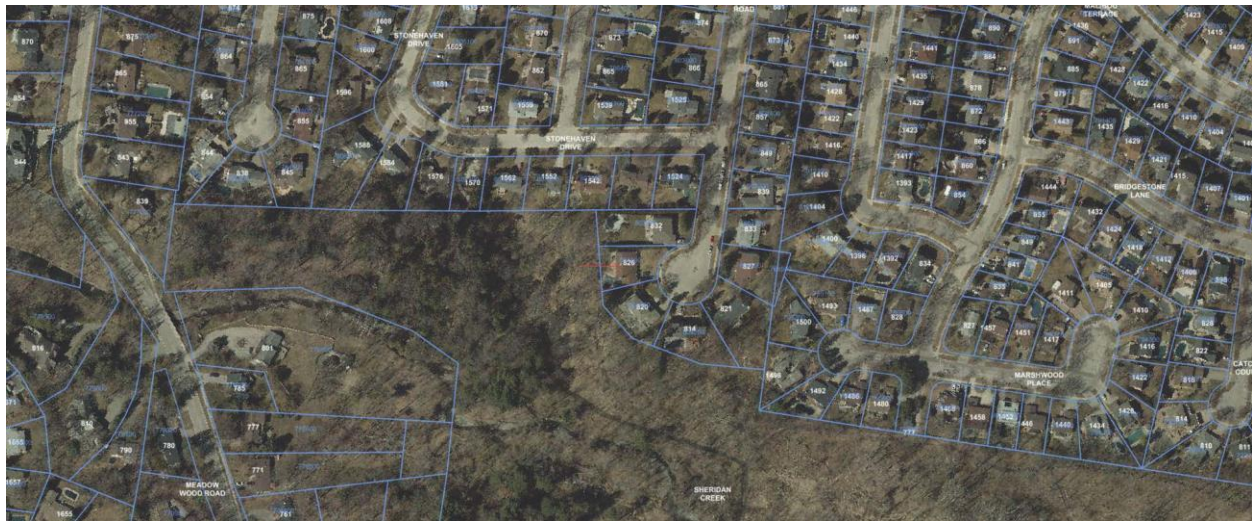
Zoning: R2-4 - Residential

Other Applications: Site Plan Application under file SPI 21-198

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Lakeshore Road West and Meadow Wood Road intersection. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a new two-storey detached dwelling requiring variances for gross floor area, side yards and setbacks.



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 located within the Lakeview Neighbourhood Area and is designated Residential Low Density I. This designation permits detached, semi-detached, as well as duplexes.

Variance #1 pertains to gross floor area. Upon review of the revised proposal, staff are of the opinion that the proposed dwelling is compatible with the existing dwellings on the street and maintains the established character of the neighbourhood.

Variances #2, 3 and 4 pertain to setbacks and side yards. The general intent of these regulations are to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. A thorough review of the immediate neighbourhood has revealed similar deficiencies for detached dwellings. Therefore, the proposed side yards and setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard remains unencumbered. Lastly, the proposed window well setback is a minor deviation from the minimum requirement.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. The application raises no concerns of a planning nature.

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-21/198.



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 21-198. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Alana Zheng, 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 owned lands by Credit Valley Conservation and leased by the City of Mississauga, identified as Rattray Marsh (P-126) and within Significant Natural Area, 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.

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

1. Hoarding and park protection secured through the associated site plan control application (SP 21 198).
2. Construction access from the adjacent park/greenlands is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands 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