

# City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A144.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the variances as requested. The applicant may wish to defer the application to verify the requested variances and ensure they have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 36.29% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A dwelling depth of 21.52m (approx. 70.60ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An existing front yard setback of 6.07m (approx. 19.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
4. An existing front yard setback of 6.07m (approx. 19.91ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) to a garage face in this instance.

## Amendments

While Planning staff are not in a position to provide an interpretation of the zoning by-law, staff would note variances #3 and 4 should be amended as follows:

3. A front yard setback of 6.07m (approx. 19.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
4. A front yard setback of 6.07m (approx. 19.91ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) to a garage face in this instance

## Background

**Property Address:** 848 Goodwin Rd

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

**Other Applications:** Preliminary Zoning Review – PREAPP 21-6525 and Building Permit – BP 9ALT 19-7207

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of Cawthra Road and Lakeshore Road East. The immediate neighbourhood is residential, consisting primarily of one, two and three storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with little vegetation in the front yard.

The application proposes an addition to the existing dwelling requiring variances related to lot coverage, dwelling depth and front yard 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 of the four tests to this minor variance request are as follows:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located in the Lakeside Precinct in the South Residential Neighbourhood and is subject to the policies within the Lakeview Local Area Plan. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. Staff are satisfied that the general intent and purpose of the official plan are maintained.

#### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance # 1 pertains to lot coverage. Variance #1 proposes a lot coverage of 36.29%, where a maximum of 35% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 27%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to the garage and covered porch. Staff note that the garage is existing and the covered porch does not add significant massing to the overall dwelling from what is currently permitted.

Variance #2 pertains to dwelling depth. The intent of the zoning provisions for dwelling depth are to minimize massing impacts of long walls on neighbouring lots. Staff have no concerns with this variance. The proposed dwelling depth is a minor deviation from the maximum permitted in the zoning by-law. Furthermore, the dwelling's sidewalls contain windows and staggered walls to further breakup the dwelling's massing. The applicant has also incorporated false dormers into the dwelling's roofline to breakup the massing of the roof.

Variance #3 pertains to front yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood.

Given the above, staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Upon review of the application, staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature, represent existing conditions for the lands, and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 addition will be addressed through BP-9ALT 19/7207.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-6525. 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.

We note that a Building Permit is 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