

City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A302.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-07-21 1:00:00 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 40.6% (approx. 206.52sq.m or 2,212.20sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% (approx. 177.88sq.m or 1,914.68sq.ft) in this instance;
2. An eaves height of 7.35m (approx. 24.11ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A gross floor area of 327.14sq.m (approx. 3,521.31sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 291.65sq.m (approx. 3,139.29sq.ft) in this instance; and,
4. A garage projection of 1.98m (approx. 6.50ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.0m in this instance.

Background

Property Address: 988 Pelham Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: **Residential** Low Density II

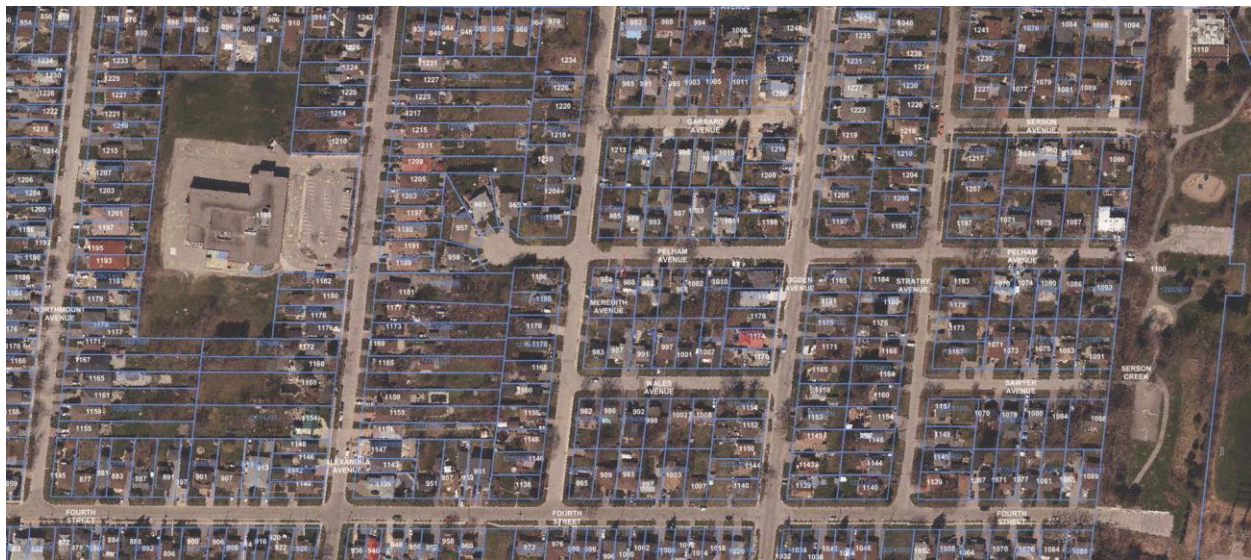
Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, southwest of the Atwater Avenue and Ogden Avenue intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant proposes a new detached dwelling and is seeking variances related to lot coverage, eave height, gross floor area 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 II on Schedule 10 of the Mississauga Official Plan (MOP).

Upon the review of detached dwellings in the immediate neighbourhood, Staff are of the opinion that the proposed gross floor area for the dwelling is excessive and does not maintain compatibility between the existing dwellings on the street; nor would it preserve the established character of the neighbourhood. Furthermore, the proposed dwelling contains a significant open to below space at the rear. Staff is also concerned that the lot coverage proposed represents an overdevelopment of the property. While this does not contribute to the gross floor area of the

dwelling, it contributes to the dwelling's overall massing, which will directly impact the neighbouring properties. Staff are also concerned that the proposed eave height. Staff is of the opinion that it is excessive and creates additional unnecessary massing. Staff note the proposed garage projection is partially concealed by the proposed covered porch; however, projecting garages are generally uncommon in the immediate area.

Planning staff recommend the application be deferred to give the applicant an opportunity to redesign the dwelling.

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 new dwelling will be addressed by our Development Construction Section through the future Building Permit 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.

Furthermore, we note that a Building Permit is 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: Andrew Wemekamp, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 988 Pelham Ave to facilitate the construction of a new dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator

Appendix 4- Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca
"[Enter Community Services staff comments]"

Comments Prepared by: Joseph Filice, Junior Planner