

# City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A315.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 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 38% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. To permit a balcony in the interior side yard whereas By-law 0225-2007, as amended, does not permit a balcony in an interior side yard in this instance; and,
3. A roof overhang encroachment of 0.85m (approx. 2.79ft) whereas By-law 0225-2007, as amended, permits a maximum roof overhang encroachment of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 861 The Greenway

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

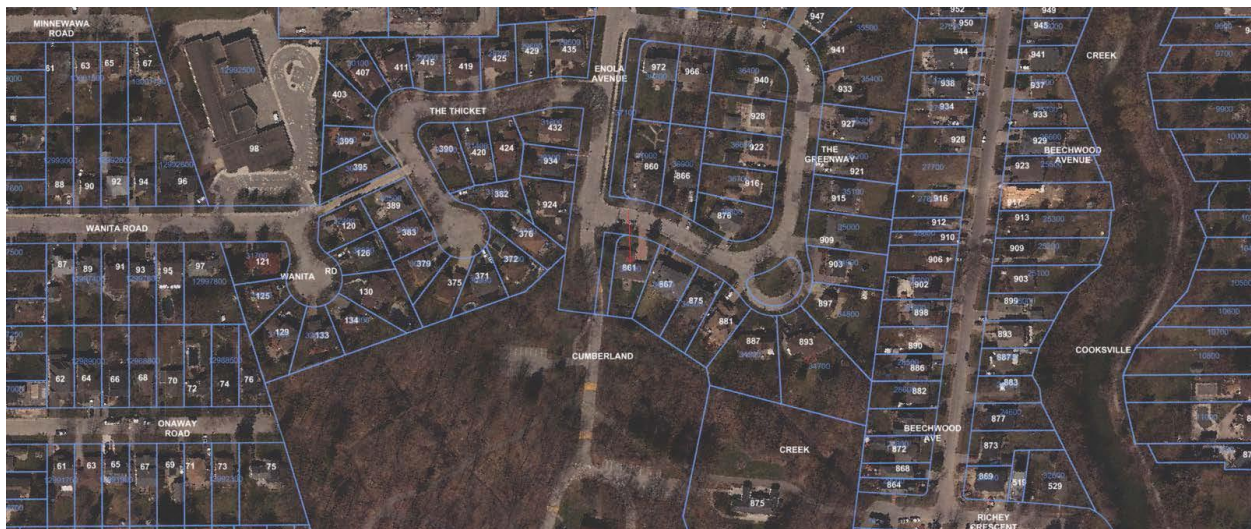
**Zoning:** R3-75 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, south of the Lakeshore Road East and Enola 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 is proposing a new two-storey detached dwelling requiring variances related to lot coverage, balcony encroachment, and roof overhang.



## 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 in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex 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. The proposal's conformity to the interior side yard setback cannot be confirmed, as there is a missing dimension on the easterly side of the dwelling in the application drawing.

Further, the combined width of side yards cannot accurately be identified due to inaccuracies within the application drawing and missing dimensions.

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 review the proposal with zoning staff in order to determine the accuracy of the requested variances, identify new variances, 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 by our Development Construction Section through the Building Permit process, File BP NEW 21/7860.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

Zoning staff is not in receipt of an active development application for the proposed scope of work. A zoning review has not been completed by staff to verify the accuracy of the request or determine if additional variances are required.

The applicant is advised that the accuracy of the minor variance application is the responsibility of the applicant.

Comments Prepared by: Brian Bonner, Supervisor

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the minor variance application and advises as follows:

The lands to the rear of the property are owned by the Credit Valley Conservation Authority, leased by the City of Mississauga, identified as Adamson Estate (P-169) and classified as Significant Natural Area within the City's Natural Heritage System and zoned OS2-10. 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.

In addition, Community Services notes the following:

1. Construction access from the adjacent park (within the side and rear yard) is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

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](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner

### Appendix 4 – Region of Peel

Development Engineering: Alexandra Maria (905) 791-7800 x7991

**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](mailto:siteplanservicing@peelregion.ca)

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All unutilized water and sanitary services shall be disconnected and/or abandoned in accordance with Region of Peel standards and specifications. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Joseph Filice, Junior Planner