

# City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A334.22
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 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 an addition proposing:

1. A height of eaves of 6.82m (approx. 22.38ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
2. An existing side yard setback of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.94ft) in this instance; and,
3. A lot coverage of 40.75% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

## Background

**Property Address:** 1391 Ogden Ave

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

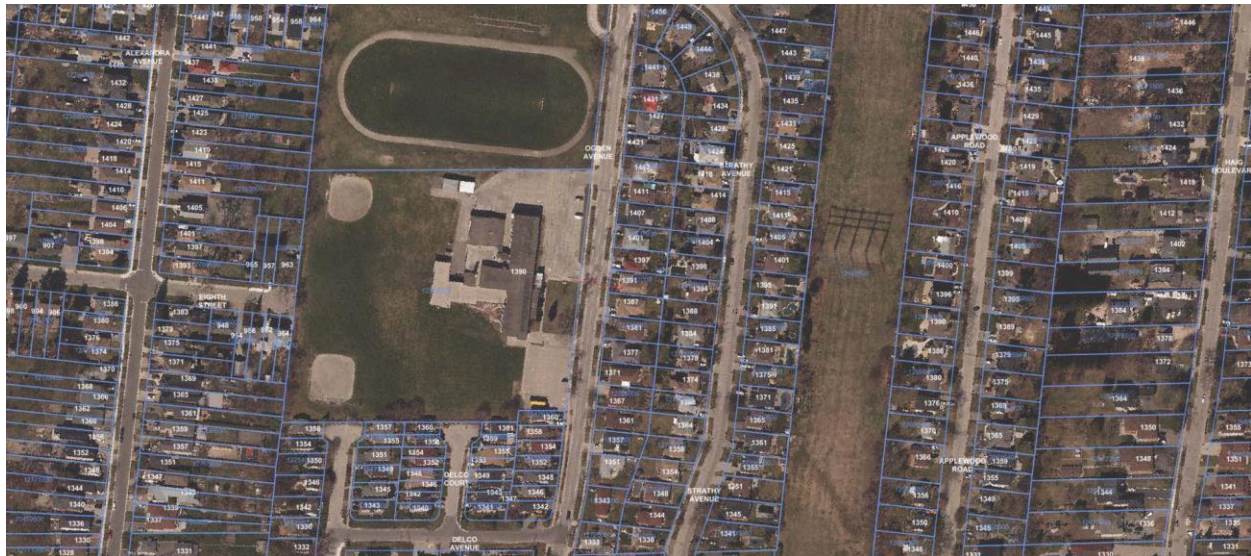
### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

**Other Applications:** BP 9ALT 22-1835**Site and Area Context**

The subject property is located within the Lakeview Neighbourhood Character Area, south of the South Service Road and Ogden Avenue intersection. The surrounding area includes a mix of one and two-storey detached dwellings with little mature vegetation in the front yards. Directly across the street from the subject property are institutional uses (Allan A. Martin Public School, and the Adult Education Centre – Mississauga Campus). The subject property contains one-storey detached dwelling with minimal vegetation in the front yard.

The applicant is proposing to construct a second storey addition to the existing detached dwelling requiring variances for eave height, side yard setback, and lot coverage.

**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 in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. Section 9 of the MOP encourages development to fit the scale and character of the surrounding area to ensure that new

development has minimal impact on adjacent neighbours regarding overshadowing and overlook.

Variance #1 relates to eave height. The intent of restricting height to the highest ridge is to lessen the visual massing of dwelling and bringing the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. The eave height increase is minimal, and ensures the dwelling will maintain a human scale.

Variance #2 relates to side yard setbacks. The general intent of this portion of the by-law is 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. The proposed addition will maintain the existing setback provided by the one-storey dwelling, thereby minimizing its massing impact to neighbouring lots. Appropriate setbacks are provided on both sides of the dwelling, ensuring access to the rear yard is unobstructed.

Variance #3 relates to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The proposed front covered porch and rear deck account for approximately 8% of the proposed lot coverage. The proposed addition and the existing dwelling would have an approximate lot coverage of 32.7%, which would meet zoning by-law requirements. The proposed front porch and rear deck do not contribute any significant massing to the detached dwelling, as these are primarily open structures.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, 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 addition will be addressed through the Building Permit process, File BP 9ALT 22/1835.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-1835. 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