

City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A440.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a second storey addition above the existing garage and a two-storey rear addition proposing:

1. A building length of 23.13m (approx. 75.85ft) whereas By-law 0225-2007, as amended, permits a maximum building length of 20.00m (approx. 65.61ft) in this instance;
2. An interior side yard setback to the second storey of 1.44m (approx. 4.72ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second storey of 1.81m (approx. 5.93ft) in this instance; and,
3. An interior side yard setback to the second storey eaves overhang of 0.98m (approx. 3.22ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to the second storey eaves overhang of 1.36m (approx. 4.46ft) in this instance;
4. An attachment width to the existing dwelling of 3.66m (approx. 12.01ft) whereas By-law 0225-2007, as amended, requires a minimum attachment width to the existing dwelling of 5.00m (approx. 16.40ft) in this instance; and,
5. An eaves overhang height of 8.54m (approx. 28.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves overhang height of 6.40m (approx. 21.00ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit under file SEC UNIT 22-2797. Based on review of the information currently available in this permit application, the variances # 2, 3 and 4, as requested are correct.

The following variances should be amended as follows:

1. A dwelling unit depth of 24.97m (approx. 81.92ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.61ft) in this instance.
4. A one storey addition providing an attachment width of 3.66m (approx. 12.01ft) to the existing dwelling; whereas By-law 0225-2007, as amended, requires a minimum attachment width of 5.00m (approx. 16.40ft) for an addition to a dwelling in this instance.
5. An eaves overhang height of 8.55m (approx. 28.05ft) whereas By-law 0225-2007, as amended, permits a maximum eaves overhang height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1711 Coram Crescent

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75-Residential

Other Applications: The Building Department is currently processing a Building Permit under file SEC UNIT 22-2797.

Site and Area Context

The subject property is located within the Dixie Employment Character Area, southeast of the Dundas Street East and Dixie Road. The surrounding neighbourhood consists of commercial, institutional and residential uses. The residential housing consists of older and newer one and two-storey detached dwellings, and one-storey semi-detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains an existing one storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a second storey addition above the existing garage and a two-storey rear addition and requires variances for setbacks, building depth, an attachment width and eave height.



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:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings with individual frontages. Based on the drawings provided, staff is of the opinion that the applicant is proposing to use the property for a triplex use. This is not a permitted use in the Residential Low Density I designation. As such, staff is of the opinion that the general intent and purpose of the official plan is not maintained.

The R3-75 (Residential) zone only permits detached dwellings, while triplex dwellings are only permitted in the RM7 (Residential) zone. Staff notes that this application would be more appropriately considered through an official plan amendment/rezoning application. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

Furthermore, staff is of the opinion that the design of the proposal is not appropriate or desirable for the property. Furthermore, the proposal would be out of character with the area. From the streetscape perspective, the dwelling would appear as three separate dwellings with varying heights and roof types. Staff is also of the opinion that the proposal does not represent orderly development of the lands and is not minor. As such, staff recommends that the application be refused.

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 drainage related concerns/requirements for the proposed addition 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 currently processing a Building Permit under file SEC UNIT 22-2797. Based on review of the information currently available in this permit application, the variances # 2, 3 and 4, as requested are correct.

The following variances should be amended as follows:

1. A dwelling unit depth of 24.97m (approx. 81.92ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.61ft) in this instance.
4. A one storey addition providing an attachment width of 3.66m (approx. 12.01ft) to the existing dwelling; whereas By-law 0225-2007, as amended, requires a minimum attachment width of 5.00m (approx. 16.40ft) for an addition to a dwelling in this instance.
5. An eaves overhang height of 8.55m (approx. 28.05ft) whereas By-law 0225-2007, as amended, permits a maximum eaves overhang height of 6.40m (approx. 21.00ft) in this instance.

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: Brandon Eidner, Zoning Examiner