

# City of Mississauga Department Comments

Date Finalized: 2022-11-02	File(s): A493.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-11-10 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 combined side yard width of 2.91m (approx. 9.55ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.58m (approx. 21.59ft) in this instance;
2. A gross floor area of 471.00sq m (approx. 5069.80sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 414.50sq m (approx. 4461.64sq ft) in this instance;
3. An interior left side setback to the eaves of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires an interior left side setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
4. A lot coverage of 35.69% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
5. An interior right side setback to the eaves of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires a minimum interior right side setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
6. An interior right side setback to the second storey of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires an interior right side setback to the second storey of 2.41m (approx. 7.91ft) in this instance;
7. An interior right side setback to the first storey of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires an interior right side setback to the first storey of 1.80m (approx. 5.91ft) in this instance;
8. An interior left side setback to the second storey of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires an interior left side setback to the second storey of 2.41m (approx. 7.91ft) in this instance; and,
9. An interior left side setback to the first storey of 1.52m (approx. 4.99ft) whereas By-law

0225-2007, as amended, requires an interior left side setback to the first storey of 2.41m (approx. 7.91ft) in this instance.

## Amendments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1397. Based on review of the information currently available in this permit application, variances # 6, 7 and 8, as requested are correct.

In addition, the follow variances should be amended as follows:

1. A combined width of side yards of 11.94% whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00%, in this instance;

9. An interior left side setback to the first storey of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires an interior left side setback to the first storey of 1.80m (approx. 5.91ft) in this instance.

## Background

**Property Address:** 1414 Lochlin Tr

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

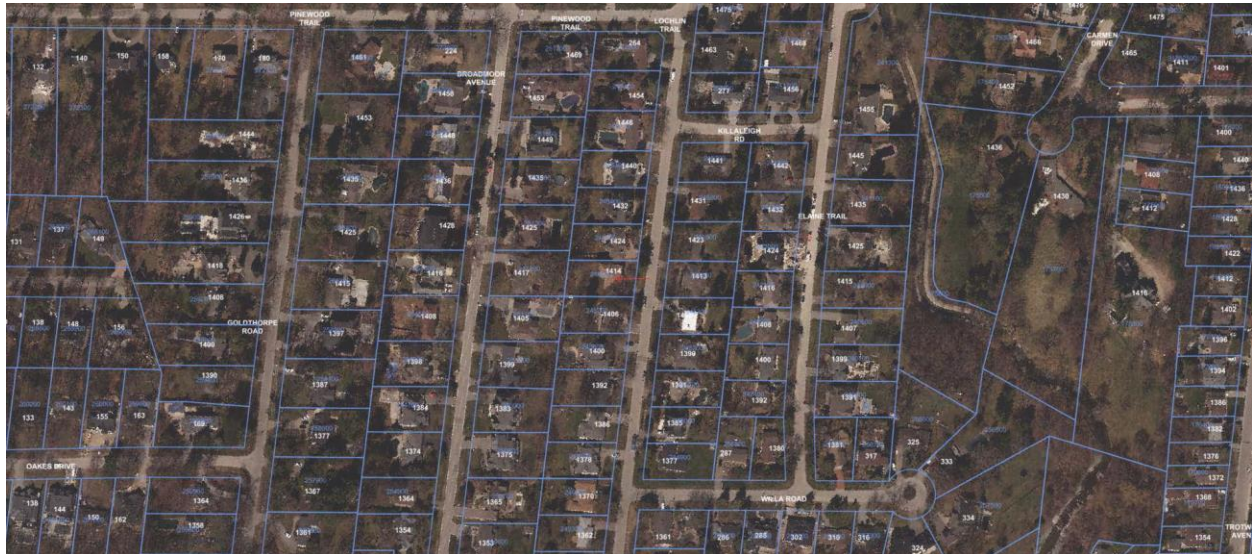
**Zoning:** R2-4 - Residential

**Other Applications:** PREAPP 22-1397

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Pinewood Trail and Hurontario Street intersection. The immediate neighbourhood is entirely residential, consisting primarily of one and two storey-detached dwellings on large lots with significant mature vegetation in the front yards. The subject property contains an existing two-storey dwelling with mature vegetation in the front and rear yards.

The applicant is proposing to construct a new dwelling requiring variances related to side yard setbacks, gross floor area 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 I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings.

While Planning staff is not in a position to provide an interpretation of the zoning by-law, staff have conducted a detailed review of the application and it appears that additional variances may be required for eave height and garage projection. Furthermore, additional information has been requested by Zoning staff and is required to determine the accuracy of the requested variances and if additional variances are required.

As such, Planning staff is unable to accurately evaluate the applicant's proposal at this time. Staff recommend that the application be deferred to allow the applicant an opportunity to meet with Zoning staff, submit the requested information, identify additional variances and meet with Planning staff to determine if the variances would be supported.

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 through the future Site Plan Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1397. Based on review of the information currently available in this permit application, variances # 6, 7 and 8, as requested are correct.

In addition, the follow variances should be amended as follows:

1. A combined width of side yards of 11.94% whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00 %, in this instance;

9. An interior left side setback to the first storey of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires an interior left side setback to the first storey of 1.80m (approx. 5.91ft) in this instance.

Furthermore, we advise that more information is required to determine if any additional minor variances are required, such as heights, GFA and garage projection and setbacks to eaves overhangs and window wells.

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

### **Appendix 3 – 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](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: Patrycia Menko, Junior Planner