

City of Mississauga Department Comments

Date Finalized: 2022-11-09	File(s): A442.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-11-17 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling proposing:

1. A lot coverage of 35.26% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
2. A front yard setback of 8.20m (approx. 26.90ft) to the garage whereas By-law 0225-2007, as amended, requires a front yard setback of 12.00m (approx. 39.37ft) to the garage in this instance;
3. A front yard setback of 9.20m (approx. 30.18ft) to the garage whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12m (approx. 39.37ft) in this instance;
4. A front yard setback of 6.63m (approx. 21.75ft) to the porch whereas By-law 0225-2007, as amended, requires a front yard setback of 10.4m (approx. 34.12ft) to the porch in this instance;
5. A front yard setback of 8.09m (approx. 26.54ft) to the eaves whereas By-law 0225-2007, as amended, requires a front yard setback of 11.55m (approx. 37.89ft) to the eaves in this instance;
6. A front yard setback of 7.13m (approx. 23.39ft) & 8.10m (approx. 26.57ft) to the window wells whereas By-law 0225-2007, as amended, requires a front yard setback of 11.39m (approx. 37.36ft) to the window wells in this instance;
7. A side yard setback of 2.68m (approx. 9.79ft) to the window well whereas By-law 0225-2007, as amended, requires a side yard setback of 3.89m (approx. 12.76ft) to the window well in this instance;
8. A setback of 22.46m (approx. 73.68ft) to the centreline whereas By-law 0225-2007, as amended, requires a setback of 25.00m (approx. 82.02ft) to the centreline in this instance; and,
9. A setback of 6.63m (approx. 21.75ft) from Mississauga Road whereas By-law 0225-

2007, as amended, requires a setback of 9.00m (approx. 29.52ft) from Mississauga Road in this instance.

Background

Property Address: 3448 Mississauga Road

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-7-Residential

Other Applications: SPI 22-41, HDN 22-6, PAM 21-496

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, south of the Burnhamthorpe Road West and Mississauga Road intersection. The immediate neighbourhood is primarily residential consisting of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new two-storey dwelling requiring variances for lot coverage and setbacks.



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 Schedule I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings. Staff have reviewed the proposed variances with the Site Plan Technologist reviewing the associated Site Plan application SPI 22-41 and have identified concerns with variances #2, 3,4,5,6, 8 and 9. These variances are a result of the applicant's proposal to construct a new two-storey dwelling closer than the existing dwelling is to Mississauga Road. Staff are of the opinion that the number of variances requested to accommodate a dwelling positioned closer to the right-of-way is excessive. Furthermore, the MOP contains scenic route policies that are applicable to lands abutting Mississauga Road, which state that building setbacks will be consistent with surrounding buildings and lots. Staff are of the opinion that the proposed setbacks are not consistent with front yard setbacks found along the streetscape. Staff recommend that the application be deferred to allow the applicant an opportunity to reduce the number of variances required by increasing the front yard setbacks. Staff is also of the opinion that the proposed lot coverage is excessive, representing an overdevelopment of the subject property. Staff recommends that the applicant reduce the overall lot coverage to reduce the massing impact of the proposed dwelling.

As such, staff recommend that the application be deferred to address staff's concerns.

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 Site Plan Application process, File SPI-22/041.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

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The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

Servicing - 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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner