

City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A374.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 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 meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A gross floor area – infill residential of 368.8sq.m (approx. 3969.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 335.8sq.m (approx. 3614.52sq.ft) in this instance;
2. An eaves height of 6.67m (approx. 21.88ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21ft) in this instance;
3. A height of 9.12m (approx. 29.92ft) to the highest ridge, whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the highest ridge, in this instance;
4. An interior yard setback of 1.32m (approx. 4.3ft) whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 1.81m (approx. 5.9ft) in this instance; and,
5. A porch setback of 4.13m (approx. 13.55ft) from the exterior lot line to the porch stairs whereas By-law 0225-2007, as amended, requires a minimum porch setback of 4.4m (approx. 14.43ft) from the exterior lot line to the porch stairs in this instance.

Background

Property Address: 1949 Barsuda Drive

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1-Residential

Other Applications: Site Plan Infill application under file SPI 22-48

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Truscott Drive and Southdown Road intersection. The immediate neighbourhood primarily consists of a mix of older one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring variances related to dwelling height, eave height, setbacks and gross floor area.



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 on Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages.

The Committee of Adjustment deferred the above noted application on August 24th, 2022, to allow the applicant an opportunity to redesign the proposal to reduce the gross floor area proposed. Residents and staff also identified concerns with the proposed gross floor area. Staff had no concerns with the remaining variances.

The applicant has revised their proposal and reduced the proposed gross floor area from 390.28m² (4200.94ft²) to 368.8m² (3969.73ft²). The remaining variances are unchanged. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings thereby ensuring the existing and planned character of a neighbourhood is preserved. Staff is of the opinion that the applicant has appropriately revised their proposal to address concerns raised by residents and the Committee of Adjustment. The proposed gross floor area is consistent with new detached dwellings in the immediate area and is generally compatible with older detached dwellings in the immediate area.

It is staff's opinion that the proposed dwelling is generally sympathetic to the surrounding area and will pose a minimal impact on the neighbouring properties. Through a detailed review of the application, staff is 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 current Site Plan application SP-22/048.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-48. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner