

City of Mississauga Department Comments

Date Finalized: 2022-12-07	File(s): A634.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-15 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A gross floor area of 480.02sq m (approx. 5166.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 410.26sq m (approx. 4416.00sq ft) in this instance.
2. An eave height of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
3. A flat roof height of 7.59m (approx. 24.90ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
4. A combined side yard setback of 7.42m (approx. 24.34ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.99m (approx. 26.21ft) in this instance;
5. An eave encroachment into the front yard setback of 0.76m (approx. 2.49ft) whereas By-law 0225-2007, as amended, requires a front yard setback of 7.99m (approx. 26.21ft) in this instance;
6. A pillar encroachment into the front yard of 0.76m (approx. 2.49ft) whereas By-law 0225-2007, as amended, permits a maximum pillar encroachment into the front yard of 0.61m (approx. 2.00ft) in this instance; and,
7. A porch encroachment into the front yard of 1.86m (approx. 6.10ft) whereas By-law 0225-2007, as amended, permits a maximum porch encroachment into the front yard of 1.61m (approx. 5.28ft) in this instance.

Amendments

We advise that the following variance should be amended as follows:

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4. A combined side yard setback of 21.72% of the lot frontage (6.43m) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 27% of the lot frontage (7.99m (approx. 26.21ft)) in this instance;

In addition, variances # 5, 6 and 7 are not required as the required front yards setback is 7.50m in this instance.

Background

Property Address: 364 Country Club Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3-3 - Residential

Other Applications: SP 22-71

Site and Area Context

The subject property is located southeast of the Lakeshore Road West and Clarkson Road South intersection, north of the Lake Ontario shoreline. The subject property contains a one and a half storey detached dwelling. Some mature vegetation is present in both the front and rear yards. The subject property has a lot area of +/- 1,111.46m² (11,964ft²). The surrounding area context is primarily residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing to construct a new dwelling requiring variances for gross floor area, eave and flat roof height, combined side yard setback, and encroachments.



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.

Upon review of the application, Planning staff are of the opinion that the proposed gross floor area (GFA) is excessive. Furthermore, the proposed GFA is inconsistent with new infill development found in the immediate area and will result in overdevelopment of the subject property. Lastly, when combined with the remaining variances, staff are of the opinion that the proposed dwelling will pose significant massing concerns to adjacent neighbours and the streetscape.

As such, staff recommends that the application be deferred to allow the applicant an opportunity to redesign the dwelling.

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 new dwelling will be addressed through the SP-22/071 Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 22-71. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

4. A combined side yard setback of 21.72% of the lot frontage (6.43m) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 27% of the lot frontage (7.99m (approx. 26.21ft)) in this instance;

In addition, variances # 5, 6 and 7 are not required as the required front yards setback is 7.50m in this instance.

Lastly, we note that variance #1 can't be confirmed at this time as we require additional information to confirm the proposed based on recently passed Zoning By-law 0208-2022.

Our comments are based on the plans received by Zoning staff on 08/29/2022 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

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