

# City of Mississauga Department Comments

Date Finalized: 2023-01-11	File(s): A659.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-01-19 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. An eaves height of 7.99m (approx. 26.21ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A dwelling height to the highest ridge of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A dwelling depth of 21.44m (approx. 70.34ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A gross floor area (infill residential) of 546.60sq m (approx. 5883.55sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 510.80sq. m (approx. 5498.21sq ft) in that instance; and,
5. A window well encroachment into the side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment into the side yard of 0.61m (approx. 2.00ft) in this instance.

### Amendments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-78. Based on review of the information currently available for this application, we note that variance 5 is not required.

## Background

**Property Address:** 1027 Indian Rd

## Mississauga Official Plan

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

## Zoning By-law 0225-2007

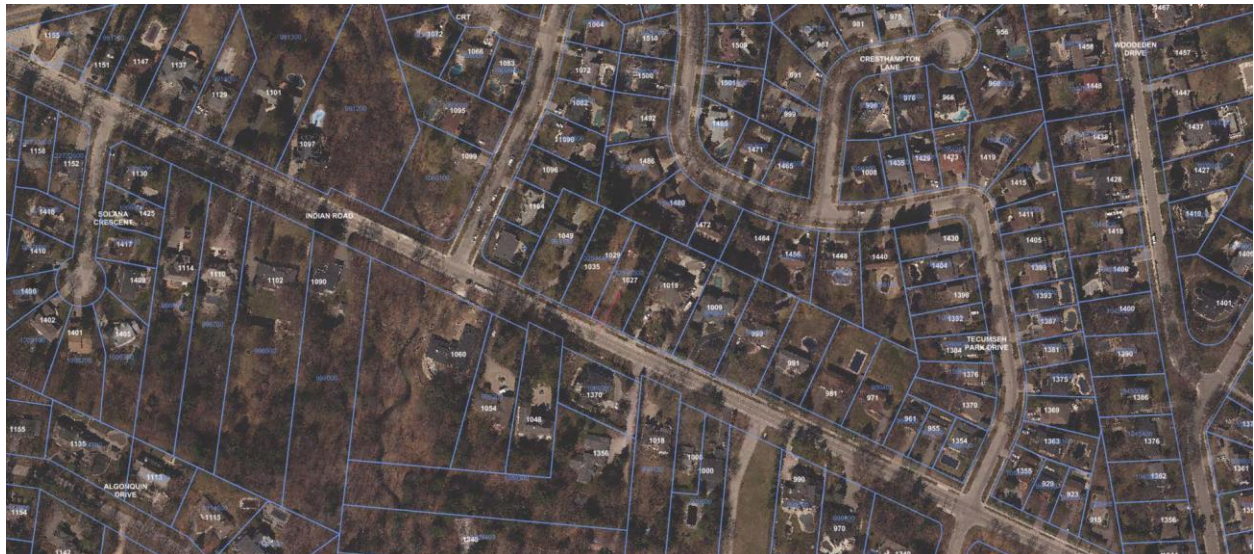
Zoning: R2-5 - Residential

Other Applications: SPI 22-78, PAM 22-122

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of the Lorne Park Road and Indian Road intersection. The immediate neighbourhood is primarily residential, consisting of a mix of one and two storey-detached dwellings on large lots with mature vegetation in the front yards. The subject property is currently vacant with mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to garage projection, eave and dwelling height, dwelling depth, gross floor area and window well encroachment.



## 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 located within the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings.

Upon review of the application, Planning staff are of the opinion that some of the requested variances appear inaccurate and that additional variances may be required. As such, Planning staff are unable to assess the applicant's proposal.

Planning staff recommend that the application be deferred to allow the applicant an opportunity to address Zoning staff's comments provided through the open building permit application. Staff also recommend that the applicant discuss the proposal with Planning staff once variances are verified with Zoning staff, to ensure Planning staff has no concerns with the proposal.

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 are being addressed through the Site Plan approval process, SPI-22/078.

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 22-78. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Additional information is required to confirm the Gross Floor Area Calculation as per the By-law definition included in By-law number 0208-2022.

Further, we note that variance 5 is not required as the required side yard setback is 1.80m at the ground level, and the window well setback is 1.97m.

Our comments are based on the plans received by Zoning staff on 06/01/2022 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

#### Minor Variance Application: A-22-659M / 1027 Indian Road

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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services