

# City of Mississauga Department Comments

Date Finalized: 2023-01-18	File(s): A704.22 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 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 for the construction of a new dwelling proposing:

1. An infill residential gross floor area of 478.30sq m (approx. 5148.38sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 399.60sq m (approx. 4301.26sq ft) in this instance;
2. A lot coverage of 30.53% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
3. A front yard setback to the garage face of 7.25m (approx. 23.79ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the garage face of 9.00m (approx. 29.53ft) in this instance;
4. A rear yard setback of 2.59m (approx. 8.50ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
5. A rear yard setback to a window well of 1.97m (approx. 6.46ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.89m (approx. 22.60ft) in this instance;
6. A front yard setback to the covered porch of 8.01m (approx. 26.28ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
7. A highest ridge height of 9.74m (approx. 32.00ft) whereas By-law 0225-2007, as amended, permits a maximum highest ridge height of 9.50m (approx. 31.17ft) in this instance;
8. A height to the underside of eaves of 6.81m (approx. 22.34ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (approx. 21.00ft) in this instance and,
9. A front yard setback to the dwelling of 8.32m (approx. 27.30ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the dwelling of 9.00m (approx. 29.53ft) in this instance.

## Amendments

Should the Committee see merit in the applicant's request, Zoning staff advise that the following variance should be amended as follows:

5. A window well encroachment of 5.53m (18.14ft) into the required rear yard, whereas By-law 0225-2007, as amended, permits a maximum encroachment for a window well of 0.61m (2ft) into the required rear yard, in this instance.

## Background

**Property Address:** 1598 Steveles Cres

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

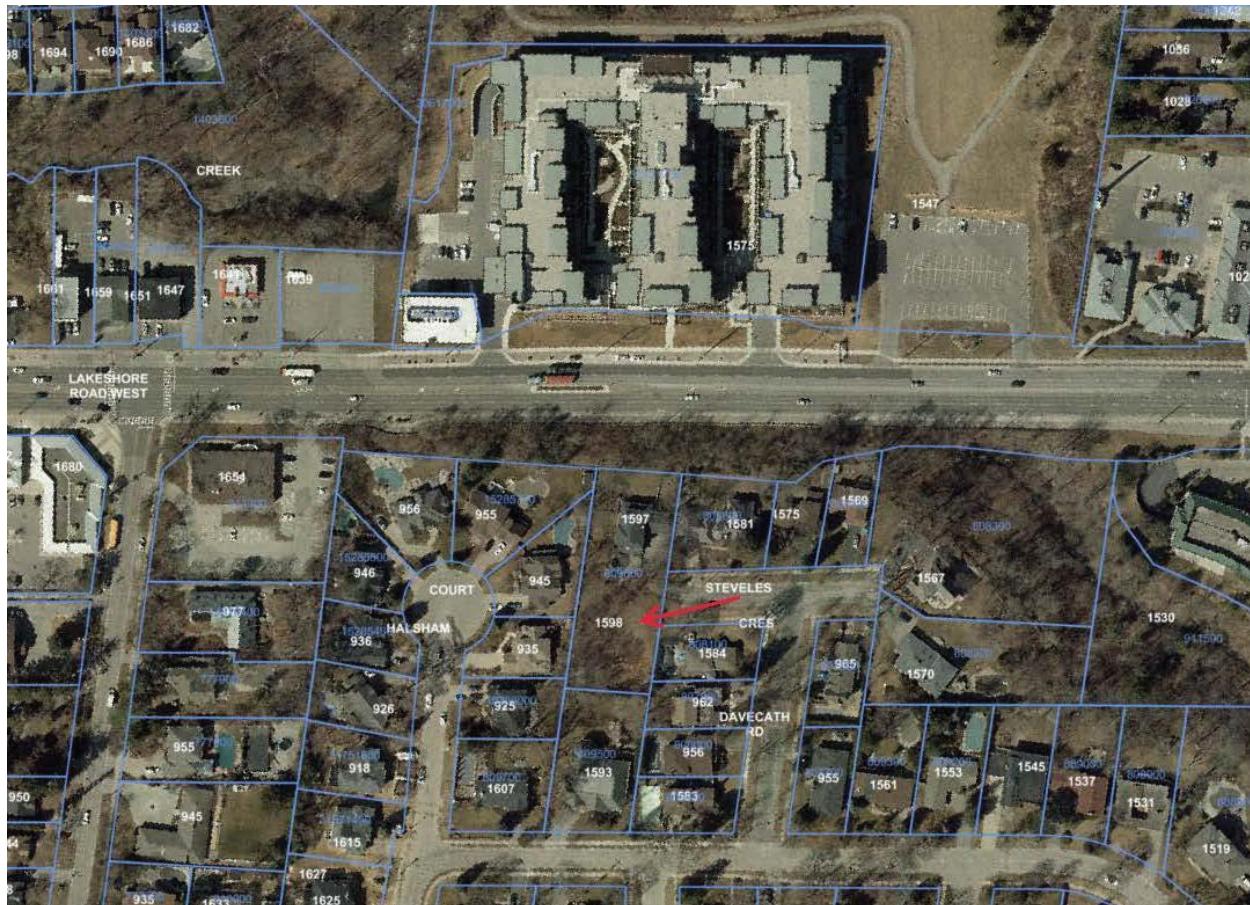
**Zoning:** R2-1 - Residential

**Other Applications:** B35.21 (Consent)

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of Lakeshore Road West and Clarkson Road North. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings with significant mature vegetation throughout the lots. The subject property contains a two-storey detached dwelling with mature vegetation throughout the lot.

The applicant is requesting minor variances to facilitate the development of a new two-storey detached dwelling. The variances are for gross floor area, lot coverage, front and rear yard setbacks and dwelling heights.



## Comments

### Planning

#### Planning Act

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.

The applicant is proposing to construct a new two-storey detached dwelling on the proposed severed lands of application B01/20, approved by the Committee of Adjustment on August 11<sup>th</sup>,

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2020. Staff note that the applicant has not satisfied all conditions required for the approval of application B01/20; therefore, the consent has not been finalized.

On July 15<sup>th</sup>, 2021, the Committee of Adjustment approved application B35/21, approving the applicant's request to amend a land dedication requirement for the extension of Steveles Crescent that was tied to condition 4 of the provisional consent under application B01/20. Staff recommended refusal of the applicant's request, as Transportation and Works Department (T&W) staff identified concerns with the applicant's proposal.

Since the applicant has not satisfied conditions required for the approval of application B01/20, Planning staff are of the opinion that the proposal to construct a two-storey dwelling on a lot that has not been created is premature.

Furthermore, while larger dwellings are not out of character within the surrounding area, staff are of the opinion that the dwelling's gross floor area proposed is excessive, does not maintain compatibility with the existing dwellings in the neighbourhood, and does not preserve the neighbourhood's character.

As such, Planning staff recommend that the application be deferred to address the concerns raised above.

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 by our Development Construction Section through the future Building Permit process. We also note that this applicant is currently in the position of finalizing a Consent Agreement with Municipal Infrastructure Schedules to extend the existing westerly limit of Steveles Crescent under File application 'B'-1/20 in order to create this new lot.

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 22-73. Based on review of the information currently available in this permit application, variances # 1, 2 and 3, as requested are correct.

Furthermore, we advise that the following variance should be amended as follows:

5. A window well encroachment of 5.53m into the required rear yard, whereas By-law 0225-2007, as amended, permits a maximum encroachment for a window well of 0.61m into the required rear yard, in this instance.

Lastly we note that, 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.

Our comments are based on the plans received by Zoning staff on SPI 22-73 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**

We have no comments or objections.

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