

City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A748.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-09 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 the construction of a new dwelling proposing:

1. A height to the underside of the eaves of 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance;
2. A window well encroachment into a side yard of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment into a side yard of 0.61m (approx. 2.00ft) in this instance and,
3. A lot coverage of 30.14% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

Background

Property Address: 1206 Streambank Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

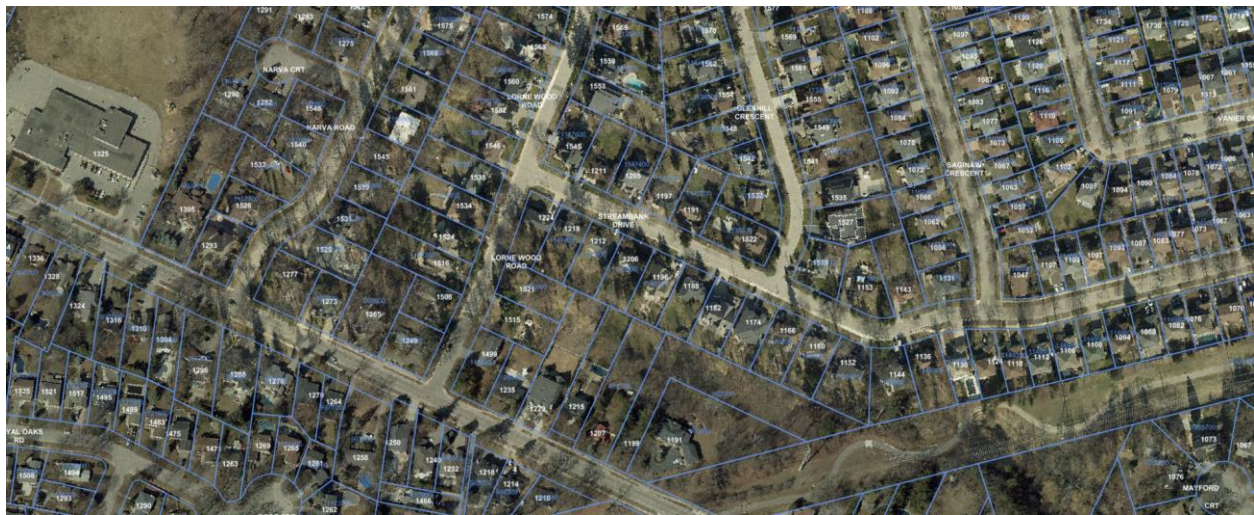
Zoning: R2-4 - Residential

Other Applications: BP 9NEW 22-3828

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Cawthra Road and North Service Road intersection. The immediate neighbourhood primarily consists of a mix of older and newer 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 two-storey detached dwelling requiring variances for eave height, window well encroachment and lot coverage.



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 Greenlands and Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP).

City Council passed a zoning by-law amendment on August 10, 2022 that revised the definition of gross floor area (GFA) – infill residential, to include the area of “void in a floor”. The effect of the amendment changes how the GFA – infill residential is calculated. Further to Section 4.1, Subsection 4.1.22 was added permitting a maximum reduction of 10% of the GFA to account for the area of void in a floor, depending on the area of the void in a floor. Any additional void in the floor area that exceeds 10% is now included in the overall calculation of maximum GFA - infill residential.

Staff note that based on the above changes, the applicant has miscalculated the gross floor area of the proposed dwelling. Planning staff have been informed that an additional variance for GFA – infill is required. At this time, Planning staff do not have concerns with the remaining variances.

Staff recommend that the proposal be deferred to allow the applicant to meet with Zoning staff to verify the accuracy of requested variances.

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 by our Development Construction Section through the Building Permit process, File BP 9NEW-22/3828.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-3828. 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.

Furthermore, it appears that an additional minor variance for GFA – Non-Residential will be required as well.

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

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