

City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A775.22
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 gross floor area of 441.26sq m (approx. 4749.68sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 394.80sq m (approx. 4249.59sq ft) in this instance;
2. An interior side yard setback of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.80m (approx. 5.91ft) in this instance;
3. An interior side yard setback to the eaves of 1.60m (approx. 5.25ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
4. An eaves height of 7.07m (approx. 23.20ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A highest ridge height of 9.42m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a highest ridge height of 9.00m (approx. 29.53ft) in this instance;
6. A lot coverage of 32.96% (337.56sq m (approx. 3633.47sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (307.20sq m (approx. 3306.67sq ft)) in this instance and,
7. A combined side yard width of 4.69m (approx. 50.48ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 5.32m (approx. 57.26ft) in this instance.

Background

Property Address: 1033 Lorne Park Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-1 - Residential

Other Applications: SPI 22-137, PAM 22-272

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, north of the Lorne Park Road and Lakeshore Road West intersection. The immediate neighbourhood is primarily residential, consisting of multi-unit residential buildings and one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one-storey detached dwelling with mature vegetation throughout.

The applicant is proposing a new dwelling requiring variances related to gross floor area, side yard setbacks, eave height, highest ridge height, lot coverage and combined side yard width.



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

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the variances for gross floor area (GFA), eave and highest ridge height are excessive. Furthermore, the proposed GFA, eave height and highest ridge height does not maintain compatibility with the existing dwellings in the neighbourhood. It will not preserve the neighbourhood's character and will cause significant massing issues that will directly impact abutting properties and the streetscape.

Staff are also concerned that reducing side yard requirements will exacerbate massing concerns. Staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling to address concerns raised.

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.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application under file SPI 22-137 W2. Based on review of the information currently available in this permit application, the variances # 2, 3, 4, 5, 6, and 7 as requested are correct.

We advise that more information is required in order to verify the accuracy of the requested variance # 1 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Metrolinx

1033 Lorne Park Rd

Metrolinx is in receipt of the minor variance application for 1033 Lorne Park Rd to facilitate the construction of a new dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Leah.ChishimbaSimwanza@Metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

Comments Prepared by: Farah Faroque – Intern, Third Party Projects Review

Appendix 4– Region of Peel

We have no comments or objections.

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