

# City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A759.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

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

1. A lot coverage of 31.09% of the lot area whereas By-law 0225-2007, as amended, permits a lot coverage of 30.00% of the lot area in this instance;
2. A combined side yard setback of 17.86% (4.33m) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 27% (6.55m) in this instance;
3. An eaves height of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
4. A gross floor area of 465.31 sq.m (approx. 5008.55sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 414.66 sq.m (approx. 4463.36sq.ft) in this instance; and,
5. A driveway width of 7.24m (approx. 23.75ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.00m (approx. 19.68ft) in this instance.

## Background

**Property Address:** 1362 Lochlin Trail

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

## Zoning By-law 0225-2007

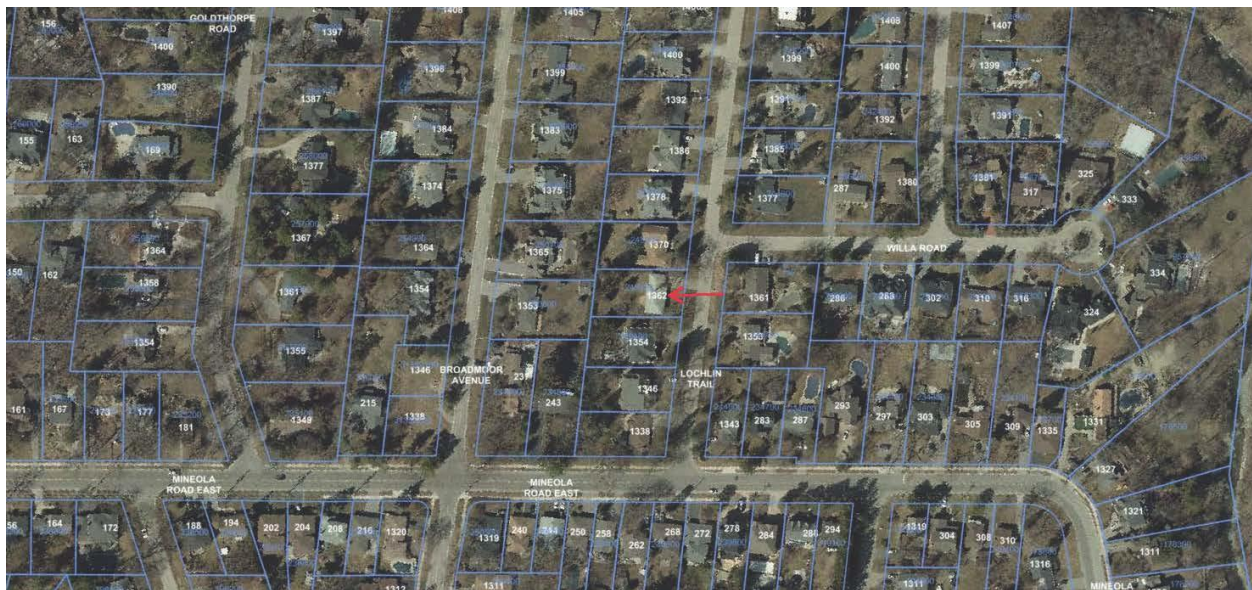
**Zoning:** R2-Residential

**Other Applications:** none

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of the Broadmoor Avenue and Mineola Road East intersection. The neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The application proposes a new two-storey detached dwelling requiring variances for lot coverage, combined side yard setback, eave height and gross floor area.



The Committee deferred the above noted application on February 23<sup>rd</sup>, 2023, to allow the applicant an opportunity to address staffs concerns with respect to gross floor area and eave height.

The applicant has submitted a revised proposal that reduced the gross floor area from 501.84m<sup>2</sup> (5401.76ft<sup>2</sup>) to 465.31m<sup>2</sup> (5008.55ft<sup>2</sup>), and eave height from 7.26m (23.81ft) to 6.95m (22.80ft). Although Planning staff had no immediate concerns with the previous variances for lot coverage and combined side yard setbacks, staff note that these have also improved in the applicant's latest submission. A lot coverage of 31.09%, and combined side yard setback of 17.86% (4.33m) are proposed, where a lot coverage of 33.79% and combined side yard setback of 15.75% (3.82m) were proposed previously. Staff also note that an additional variance for a driveway width of 7.24m has been added to the application.

With respect to variance #1, staff note that the dwelling's footprint (including garage) covers approximately 24% of the subject property. The remaining coverage is attributable to a front covered porch, second floor roof overhang, covered rear patio, and covered cabana, which do not pose significant massing concerns. The proposed dwelling also contains staggered walls and clearly defined architectural features that will break up the first and second storeys. The combination of these factors minimises the massing impact of the dwelling.

Variance #2 relates to combined width of side yards. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the area. Therefore, the proposed setbacks and side yards are also not out of character within the immediate neighbourhood.

Variance #3 relates to eave height. Staff are of the opinion that the eave height represents a minor deviation from the regulation. Furthermore, no overall height variance is required.

Variance #4 relates to gross floor area. Staff are of the opinion that the proposed gross floor area would be consistent with newer and older dwellings found in the immediate area.

Variance #5 pertains to driveway width. Staff has no immediate concerns with this variance, as only a portion of the driveway is 7.24m (23.75ft). The rest of the driveway tapers to a width of 5.63m (18.47ft) along the street frontage. Furthermore, the proposed width is not capable of accommodating more than two legal parking spaces parked side by side.

As such, the applicant has satisfied concerns related to gross floor area and eave height. Staff's opinion that the applicant's revised proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

### Appendix 3 –Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner