

City of Mississauga Department Comments

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| Date Finalized: 2023-05-24 | File(s): A42.23 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2023-06-01 3:30:00 PM |

Consolidated Recommendation

The City has no objections to the minor variance application. 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 a minor variance to permit the construction of a new dwelling proposing:

1. A west interior side yard setback to the second storey of 1.96m (approx. 6.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A second storey eave west interior side yard setback of 1.55m (approx. 5.08ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
3. A combined eaves side yard setback of 3.03m or 14.68% (approx. 9.94ft) measured to the eaves whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.17m or 27% (approx. 23.52ft) measured to the eaves in this instance;
4. An eaves height of 6.98m (approx. 22.90ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A garage projection beyond the front wall of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
6. A gross floor area of 422.51sq m (approx. 4547.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 376.94sq m (approx. 4057.35sq ft) in this instance; and,
7. A driveway width of 6.29m (approx. 20.64ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

Zoning staff advise that the following variance should be amended:

2. A second storey eave west interior side yard setback of 1.55m (approx. 5.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance.

Background

Property Address: 1417 Wateska Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

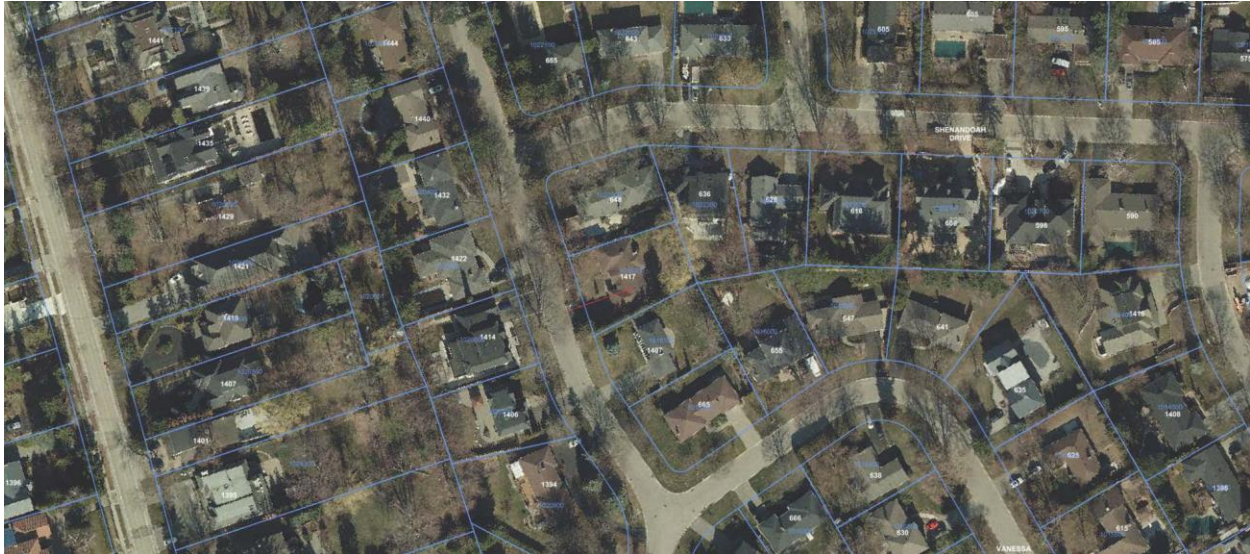
Zoning: R2-4 - Residential

Other Applications:

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of the Indian Road and Mississauga Road intersection. The immediate neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling with mature vegetation in the property's front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to side yards, eave height, garage projection, gross floor area and driveway 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 Committee deferred application A42.23 on March 30th, 2023.

During the hearing, the owner of the abutting property to the north noted concerns with the dwelling's massing and its impact to their property. The Committee deferred the application to allow the applicant an opportunity to reposition the dwelling to mitigate massing concerns noted by the neighbouring property owner.

Materials contained in the applicant's resubmission appear to remain the same as the applicant's first submission. As such, it appears that the dwelling has not been repositioned to satisfy the Committee's request. Staff had no concerns with the applicant's first submission. As such, staff continue to have no objections with the application.

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 has reviewed and is no longer reviewing a Site Plan Infill application under file SPI 22-117. Based on review of the information currently available in this permit application, variances # 1, 4, 5, and 6, as requested is correct.

In addition, we advise that the following variance should be amended:

2. An interior westerly side yard setback to the second storey eaves overhang of 1.55m (approx. 5.12ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second storey eaves overhang of 1.96m (approx. 6.43ft) in this instance;
3. A combined width of side yards of 14.68% (approx. 9.94ft), whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00% (approx. 23.52ft), in this instance;

Lastly, 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.

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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner