

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A54.23
To: Committee of Adjustment	Ward: 2
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.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard setback to the second storey of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A combined side yard width to the second storey of 5.21m (approx. 17.10ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.57m (approx. 21.56ft) in this instance; and,
3. A gross floor area – infill of 484.35sq m (approx. 5213.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 380.38sq m (approx. 4094.38sq ft) in this instance.

Background

Property Address: 1220 Wildfield Cres

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: Building Permit under file BP 9ALT 22-4507.**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Birchview Drive and Lorne Park Road intersection. The immediate neighbourhood is entirely residential, consisting of one, one and a half 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 vegetation in the property's front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to side yards and gross floor area.

**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 the above noted application on March 30th, 2023, to allow the applicant an opportunity to address staffs concerns with respect to gross floor area.

Staff discussed the proposal with the applicant's agent and no longer has concerns with the proposed gross floor area. Numerically the proposed gross floor area appears excessive; however, this variance is technical in nature. The applicant is proposing front and rear additions

to the existing one-storey dwelling. Since the ceiling height of the dwelling exceeds 3.6m (12 ft), the dwelling is considered two-storeys and therefore the area of the ground floor is doubled in the calculation of GFA. If the ceiling height of the dwelling was at or below 3.6m (11.81ft), the GFA would be 254.92m² (2743.94ft²), which is significantly below the maximum GFA permitted.

Staff note that no variances are required for height and the dwelling appears as one-storey from its façade. Therefore, the proposed increase in GFA will have no impact on the streetscape or adjacent neighbours.

Variances #2 and 3 pertain to side yards. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks and side yards are also not out of character within the immediate neighbourhood.

As such, the applicant has satisfied concerns related to gross floor area. Staff's opinion that the applicant's 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 are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/5509.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9ALT 22-4507. Based on review of the information currently available in this application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application submitted on 01/26/2023 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: Jeanine Benitez, Zoning Examiner

Appendix 3 –Region of Peel

Please apply previous comments.

Comments Prepared by: Patricia Menko, Junior Planner

Appendix 4- Metrolinx

1220 Wildfield Cres

Metrolinx is in receipt of the minor variance application for 1220 Wildfield Cres to facilitate the construction of a 1-storey addition in the front and rear yard to an existing 1 -storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised the following:

Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Comments Prepared by: Farah Faroque, Intern