

City of Mississauga Department Comments

Date Finalized: 2023-06-07	File(s): A167.23 A168.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-15 1:00:00 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

A167/23 and A168/23

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

1. A minimum lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance;
2. A lot coverage of 44.71% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
3. A lot area of 290.00sq m (approx. 3121.53sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq m (approx. 3659.73sq ft) in this instance.

Background

Property Address: 1035 Caven St

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM7-6 - Residential

Other Applications: B26.22

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of the Cawthra Road and Lakeshore Road East intersection. The immediate area consists of a mix of detached and semi-detached dwellings. A property containing three residential apartments is located north-west of the subject property on Caven Street. General retail commercial plazas are located south of the subject property on Lakeshore Road East. Lots having low-density dwellings in the immediate area have frontages ranging from approximately 7.5m (24.61ft) to 22.9m (75.13ft) with mature vegetation in the front yards. The subject property contains an existing one-storey dwelling with mature vegetation in the front yard.

The applicant is proposing two new semi-detached dwellings, requiring variances for lot frontage, area and 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 Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP) permits townhouses. The subject properties are also located on lands identified as Special Site 13 in the Lakeview Local Area Plan (LAP). Special Site 13 permits additional uses on the subject property, including semi-detached dwellings.

The Committee approved application B26.22 on April 14th, 2022. At that time, the applicant did not request variances for reduced lot area or frontage. As such, the applicant has applied for reduced frontages and areas in applications A167.23 and A168.23. The applicant is also requesting variance #2 for lot coverage of 44.71%, where a maximum lot coverage of 35% is permitted.

With respect to variances #1 and 3, the proposed frontages and areas are consistent with other semi-detached lots found within the immediate area and contributes to the eclectic nature of the existing and planned community. The official plan and zoning by-law envisions a mix of dwelling types with an eclectic lot fabric in the surrounding area.

Variance #2 pertains to lot coverage. While the numerical value of the proposed coverage appears excessive, staff is of the opinion that the proposed coverage is consistent with lots found in the immediate area and does not represent an overdevelopment of the lots.

It is 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 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 – Metrolinx

1035 Caven St

Metrolinx is in receipt of the minor variance application for 1035 Caven St, to facilitate the construction of two new semi-detached dwellings on the previously severed lots. 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.
- 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 Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
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

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner