

City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A558.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 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 a new dwelling proposing:

1. A west side yard setback to the second storey of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum west side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
2. A west side yard setback to the third storey of 0.64m (approx. 2.10ft) whereas By-law 0225-2007, as amended, requires a minimum west side yard setback to the third storey of 2.42m (approx. 7.94ft) in this instance;
3. An east side yard setback to the second storey of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum east side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
4. An east side yard setback to the third storey of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum east side yard setback to the third storey of 2.42m (approx. 7.94ft) in this instance;
5. A combined side yard width of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
6. An east side yard setback to the second storey front balcony of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum east side yard setback to the second storey front balcony of 1.81m (approx. 5.94ft) in this instance;
7. A west side yard setback to the third storey front balcony of 2.07m (approx. 6.79ft) whereas By-law 0225-2007, as amended, requires a west side yard setback to the third storey front balcony of 2.42m (approx. 7.94ft) in this instance;
8. An east side yard setback to the third storey front balcony of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires an east side yard setback to the third storey front balcony of 2.42m (approx. 7.94ft) in this instance;

9. A west side yard setback to the third storey rear balcony of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum west side yard setback to the third storey rear balcony of 2.42m (approx. 7.94ft) in this instance;
10. An east side yard setback to the third storey rear balcony of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum east side yard setback to the third storey rear balcony of 2.42m (approx. 7.94ft) in this instance;
11. A maximum lot coverage of 37.60% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
12. A dwelling unit depth of 21.35m (approx. 70.04ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
13. A gross floor area of 261.00sq m (approx. 2809.38sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 247.51sq m (approx. 2664.18sq ft) in this instance; and,
14. A flat roof height of 10.40m (approx. 34.12ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 910 Beechwood Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 -Residential

Other Applications: none

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, southeast of the Enola Avenue and Lakeshore Road East intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant proposes a new three-storey detached dwelling requiring variances for setbacks, combined side yard width, lot coverage, dwelling depth, gross floor area and flat roof height.



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 located in the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached, duplex and triplex dwellings.

Upon review of the application, Planning staff note concerns with variance #14 for flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of the flat roof dwelling and to minimize any negative impacts on the streetscape and neighbouring properties. Furthermore, the flat roof height regulation is intended to restrict flat roof dwellings that otherwise would be permitted to have a maximum height of 10.70m (35ft) as of right, which could accommodate three storeys in the dwelling. In this case, the proposed dwelling is three-storeys and presents significant massing concerns. The applicant has requested additional variances for dwelling depth, reduced setbacks, lot coverage and gross floor area which exacerbate the massing of the dwelling.

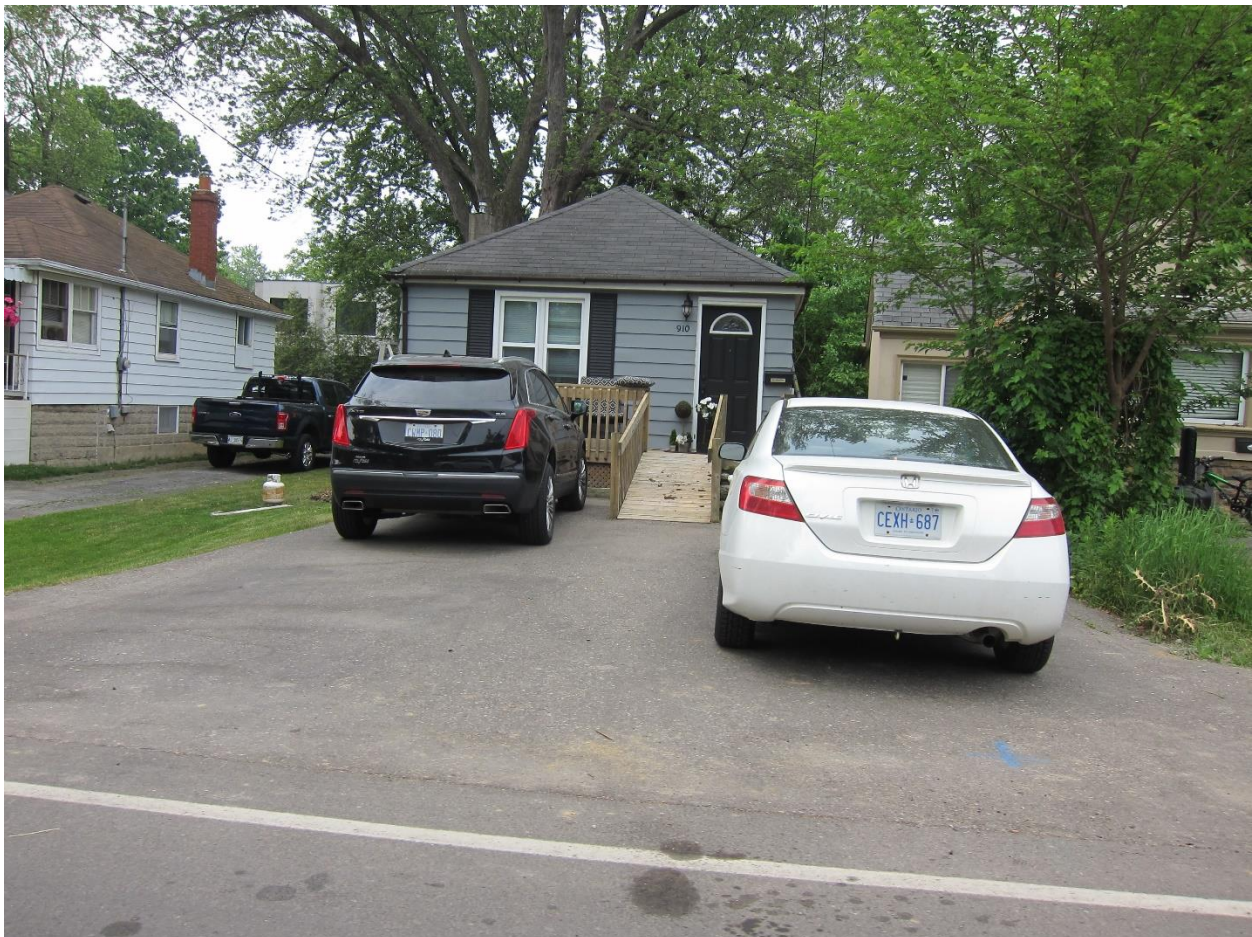
As such, staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling.

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.

City Department and Agency Comments	File:A558.22	2023/07/05	5
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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

Minor Variance: A-22-558M – 910 Beechwood Avenue

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner