

City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A230.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 3:30:00 PM

Consolidated Recommendation

The City has no objection to the application.

Application Details

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

1. A left side minimum eave setback of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
2. A right side minimum eave setback of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
3. A lot coverage of 42.81% (304.22sq m (approx. 3274.60sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (248.72sq m (approx. 2677.20sq ft)) in this instance; and,
4. A right side second floor side yard setback of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 1602 Lincolnshire Blvd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: BP 9NEW 23-6186.

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, southeast of Dixie Road and South Service Road. Directly abutting the subject property to the south is Toronto Golf Club. The neighbourhood is entirely residential consisting of one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one-storey detached dwelling with mature vegetation in the side yards.

The applicant is proposing a new dwelling requiring variances for setbacks and lot 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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. New housing is encouraged to fit the scale and character of the surrounding area ensuring that the new development has minimal impact on adjacent neighbours regarding

overshadowing and overlook. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole. The new development will not negatively impact the streetscape character. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variances #1, 2 and 4 pertain to setbacks. Staff note that the first floor of the proposed dwelling complies with setback regulations. The proposed setback variances are only required to the eaves of the proposed dwelling and second floor, which do not pose massing concerns.

Variance #3 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 42.81% where a maximum lot coverage of 35% is permitted. Staff note that 34.99% of the lot coverage is attributable to the detached dwelling's footprint. The remaining lot coverage is attributable to a covered porches and eave overhangs, which results in negligible massing to the dwelling.

As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that the overall impacts created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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, File BP 9NEW-23/6106.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 23-6186. 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 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: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner