

City of Mississauga Department Comments

Date Finalized: 2023-07-19	File(s): A711.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-07-27 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 the construction of a new dwelling proposing a lot coverage of 41.20% (167.68sq m (approx. 1805.00sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% (142.51sq m (approx. 1533.96sq ft)) in this instance.

Background

Property Address: 650 Byngmount Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: Preliminary Zoning Review application under file PREAPP 22-1851

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Site and Area Context

The subject property is located within the Lakeview Neighbourhood Area, southeast of the Lakeshore Road East and Aviation Road intersection. The immediate neighbourhood is primarily residential consisting of older and newer one to three-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains a one-storey detached dwelling with vegetation in the front and rear yards.

The applicant is proposing a new dwelling requiring a variance for a front yard setback.



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 within the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

Planning staff note that the application was previously deferred by the Committee on February 2nd, 2023. Staff were of the opinion that the proposed side yard setbacks did not provide an adequate buffer to the neighbouring property to the east. Planning staff were also of the opinion that the setbacks would create privacy and overlook concerns. Furthermore, the proposed lot coverage was excessive and Transportation and Works staff identified drainage concerns with the proposal.

The applicant has revised the proposal and is only seeking a variance for lot coverage. Planning staff have no concerns with the requested variance. However, through discussions with Transportation and Works and Zoning staff, Planning staff are of the opinion that additional variances are likely required. These additional variances may not be supported by Transportation and Works and Planning staff. Therefore, Planning staff again recommends that the application be deferred to meet Zoning staff to ensure the accuracy of the requested variances and to discuss the required variances with Planning staff.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that this Department does not have a concern with the requested Minor Variance for dwelling lot coverage. However, we would like to advise the applicant prior to applying for a Building Permit that our Development Construction Section does have a concern with the amount of hard surface surrounding the dwelling that is shown on the current site plan.

The Development Construction Section will comment on all grading concerns/requirements for the proposed dwelling through the future Building Permit process once circulated.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-1851. Based on review of the information currently available in this permit application, 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 submitted on 06/28/2022 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 Review

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner