

# City of Mississauga Department Comments

Date Finalized: 2023-08-09	File(s): A259.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-08-17 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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve minor variances to allow the construction of a second storey addition proposing:

1. A rear yard setback of 0.71m (approx. 2.32ft) to the existing detached shed, whereas By-law 0225-2007, as amended, requires a rear yard setback of 1.2m (approx. 3.93ft) to the existing detached shed in this instance;
2. A rear yard setback of 0.53m (approx. 1.73ft) to the existing detached cabana, whereas By-law 0225-2007, as amended, requires a rear yard setback of 1.2m (approx. 3.93ft) to the existing detached cabana in this instance;
3. A side yard setback of 1.51m (approx. 4.95ft) to the proposed roof structure on the right side of the dwelling whereas By-law 0225-2007, as amended, requires a side yard setback of 1.96m (approx. 6.43ft) to the proposed roof structure on the right side of the dwelling in this instance;
4. A side yard setback of 1.55m (approx. 5.08ft) to the proposed roof structure on the left side of the dwelling whereas By-law 0225-2007, as amended, requires a side yard setback of 1.96m (approx. 6.43ft) to the proposed roof structure on the left side of the dwelling in this instance;
5. A side yard setback of 1.86m (approx. 6.10ft) to the proposed dwelling on the left side whereas By-law 0225-2007, as amended, requires a side yard setback of 2.41m (approx. 7.90ft) to the proposed dwelling on the left side in this instance;
6. A side yard setback of 1.86m (approx. 6.10ft) to the rear covered porch roof whereas By-law 0225-2007, as amended, requires a side yard setback of 2.41m (approx. 7.90ft) to the rear covered porch roof in this instance;
7. A combined side yard width of 3.06m (approx. 10.03ft) whereas By-law 0225-2007, as

amended, requires a combined side yard width of 3.68m (approx. 12.07ft) in this instance;

8. A garage projection of 1.14m (approx. 3.74ft) from the front of the dwelling whereas By-law 0225-2007, as amended, permits a garage projection of 0.32m (approx. 1.04ft) from the front of the dwelling in this instance;

9. An existing walkway width of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) in this instance;

10. A maximum eaves height of 7.2m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.73m (approx. 22.08ft) in this instance;

11. A maximum gross floor area of 428 sq.m (approx. 4606.95sq.ft) whereas By-law 0225-2007, as amended, permit a maximum gross floor area of 375.7 sq.m (approx. 4044.00sq.ft) in this instance; and,

12. A maximum lot coverage of 31% of the lot area whereas By-law 0225-2007, as amended, permits a lot coverage of 30% of the lot area in this instance.

## Background

**Property Address:** 568 Vanessa Crescent

### 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:** a Building Permit under file BP 9ALT 23-6601.

### Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood, east of the Indian Road and Mississauga Road intersection. The neighbourhood is primarily residential in the form of one and two-storey detached dwellings with little mature vegetation in the front yards. The subject property contains a one and a half-storey detached dwelling with little vegetation in the front yard.

The applicant is proposing an addition to the principle dwelling and accessory structures, requiring variances for setbacks, eave height, gross floor area, walkway width 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 are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

Variances #1, 2, 3, 4, 5, 6 and 7 are for setbacks and side yards. Variances #1 and 2 are for setbacks to existing accessory structures. Staff are of the opinion that the proposed setbacks provide an adequate buffer to the rear lot line and ensure access for maintenance purposes. No further variances are required for height, area or coverage which can have the effect of exacerbating the massing of the structures. Staff note that the application proposes a second storey addition over an existing one-storey portion of the detached dwelling. The applicant is proposing the same setbacks to the second storey that exists to the first storey. This proposed setback is common for detached dwellings in the immediate area. Furthermore, the proposed setbacks ensures that an adequate access to the rear yard is maintained, the setbacks are consistent with setbacks found in the immediate area and that an adequate buffer is provided along the easterly and westerly side lot lines.

Variance #9 pertains to walkway width. While this variance appears numerically excessive, Staff note that the walkway is primarily screened by a hedge. Furthermore, the proposed walkway contains stairs. Based on the following it is staff's opinion that the walkway cannot accommodate vehicular parking.

Variance #8 is for garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the application proposes a covered front porch that projects the same distance as the garage thereby minimizing the impact of the garage projection and ensuring the garage is not the dominant feature of the dwelling.

Variance #10 pertains to eave height. The intent of restricting height to the highest ridge is to lessen the visual massing of dwelling and keeping the dwelling within a human scale. The eave height increase is minimal ensuring the dwelling maintains a human scale. Staff note that no overall height variance is requested.

Variance #11 pertains to gross floor area. Staff are of the opinion that the proposed gross floor area is consistent with newer and older dwellings found in the immediate area.

Variance #12 relates to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The proposed lot coverage is 0.16% more than the permitted maximum. Staff are of the opinion that the proposed increase is negligible and does not represent an overdevelopment of the lot.

Through a detailed review of the application, staff are 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 addition are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-23/6601.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6601. 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 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 Comments**

#### **Minor Variance: A-23-259M / 568 Vanessa Crescent**

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](mailto: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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Ayoola Ayooluwa, Junior Planner