

City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A769.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve minor variances to allow the construction of an addition proposing:

1. A dwelling unit depth of 27.77m (approx. 91.10ft) whereas By-law 0225-2007, as amended, permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
2. A maximum accessory structure (cabana) height of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.5m (approx. 11.48ft) in this instance;
3. A maximum area of 32.5 sq.m(approx. 349.82sq.ft) occupied per accessory structure(cabana) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance;
4. A minimum combined width of 6.57m (approx. 21.55ft) of the side yards whereas By-law 0225-2007, as amended, requires a combined width of 7.38m (approx. 24.21ft) of the side yards in this instance; and,
5. A gross floor area of 682.96 sq.m (approx. 7351.32ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 667.92 sq.m (approx. 7189.43ft) in this instance.

Background

Property Address: 1228 Kane Road

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

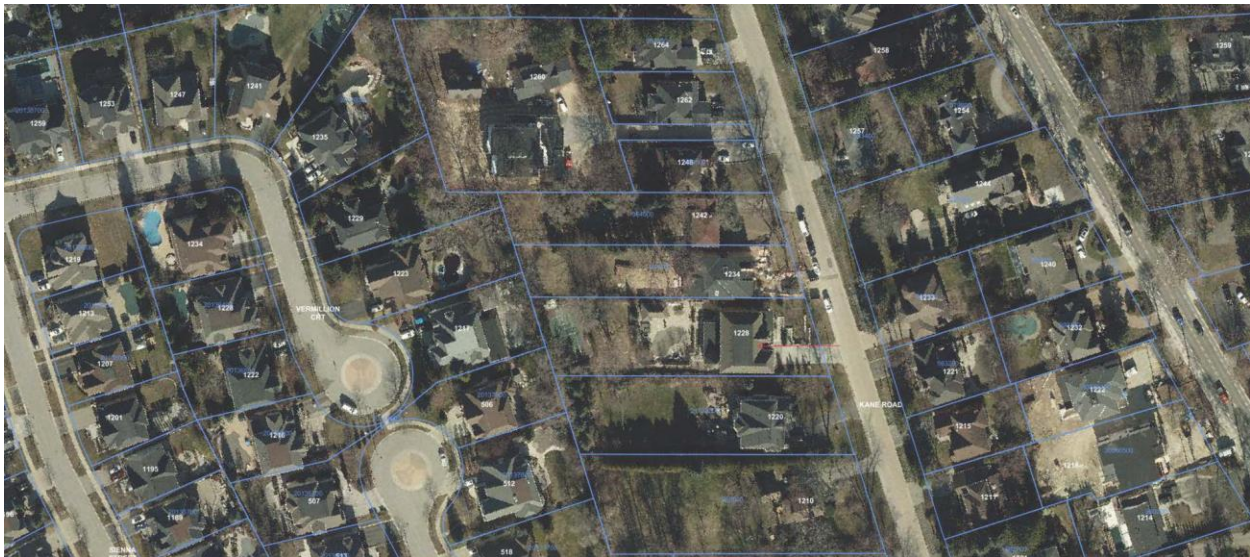
Zoning: R1-3-Residential

Other Applications: BP 22-2450

Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Road and Kane Road. The immediate neighbourhood is entirely residential consisting of older one-storey and newer two-storey detached dwellings on lots with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation in the rear yard.

The application proposes an addition requiring variances related to dwelling unit depth, accessory structure height, maximum area occupied per accessory structure, combined side yard width and gross floor area.



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). This designation permits detached, semi-detached, and duplex dwellings.

Variance #1 is regarding dwelling depth. Staff are of the opinion that the proposed dwelling will present significant massing concerns to neighbouring properties due to its overall depth. Furthermore, the proposed dwelling depth does not represent a minor deviation from the maximum depth permitted. Staff have no immediate concerns regarding the remaining variances. As such, staff recommends that the application be deferred to allow the applicant an opportunity to redesign the dwelling to reduce its depth.

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 cabana are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-22/2450.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 22-2450. 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- Metrolinx

1228 Kane Rd - A 769.22 - DEFERRED

Metrolinx is in receipt of the minor variance application for 1228 Kane Rd to facilitate the construction of a new addition and an accessory structure (cabana) in the rear yard. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially within 300m of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised the following:

- **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, Project Analyst