

City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): A441.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 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 the accuracy of the requested variances and to determine if additional variances are required.

Application Details

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

1. An eave height of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A garage projection of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance; and,
3. A front yard setback (to front porch steps) of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.40m (approx. 24.28ft) in this instance.

Background

Property Address: 881 Edistel 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: None

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Indian Road and Woodeden Drive intersection. The surrounding neighbourhood is entirely residential consisting of one and two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey detached dwelling with mature vegetation within the front and side yards.

The application proposes a new two-storey detached dwelling, requiring variances related to eave height, garage projection and 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings.

The applicant is proposing a new two-storey detached dwelling requiring variances for eave height, garage projection and front yard setback. Staff note that the requested variances were approved on November 12, 2020 under file A261/20 for an addition to the existing dwelling. Staff were supportive of the proposal at the time. During the construction process, it was identified that the proposal requires permits for a new dwelling and not an addition. As such, a new minor variance application is required. The current application does not present any significant changes to the previously approved design. As such, staff are of the opinion that the application is technical in nature and staff maintains their position from application A261/20.

Given the above, Planning 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: Shivani Chopra, Planner in Training

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 were addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-21/8442.



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.

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: Minan Song, Planner in Training

Appendix 3- Region of Peel

Minor Variance: A-23-441M / 881 Edistel Crescent

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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: Ayooluwa Ayoola, Junior Planner