

City of Mississauga Department Comments

Date Finalized: 2024-02-07	File(s): A78.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-02-15 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 the construction of an addition proposing:

1. A left side yard setback of 1.48m (approx. 4.86ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. A right side yard setback of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A height to the roof eave of 7.19m (approx. 23.59ft) whereas By-law 0225-2007, as amended, permits a maximum height to the roof eave of 6.40m (approx. 21.00ft) in this instance;
4. A front yard setback of 6.32m (approx. 20.73ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
5. A setback to the eaves in the interior left side yard of 1.04m (approx. 3.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
6. A setback to the eaves in the interior right side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
7. A setback to the eaves in the front yard of 5.83m (approx. 19.13ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.55m (approx. 18.21ft) in this instance;
8. A front yard setback to the porch of 5.15m (approx. 16.90ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.90m (approx. 19.36ft) in this instance;

and,

9. A setback for the porch eaves in the front yard of 5.15m (approx. 16.90ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.45m (approx. 17.88ft) in this instance.

Background

Property Address: 1220 Haig Blvd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

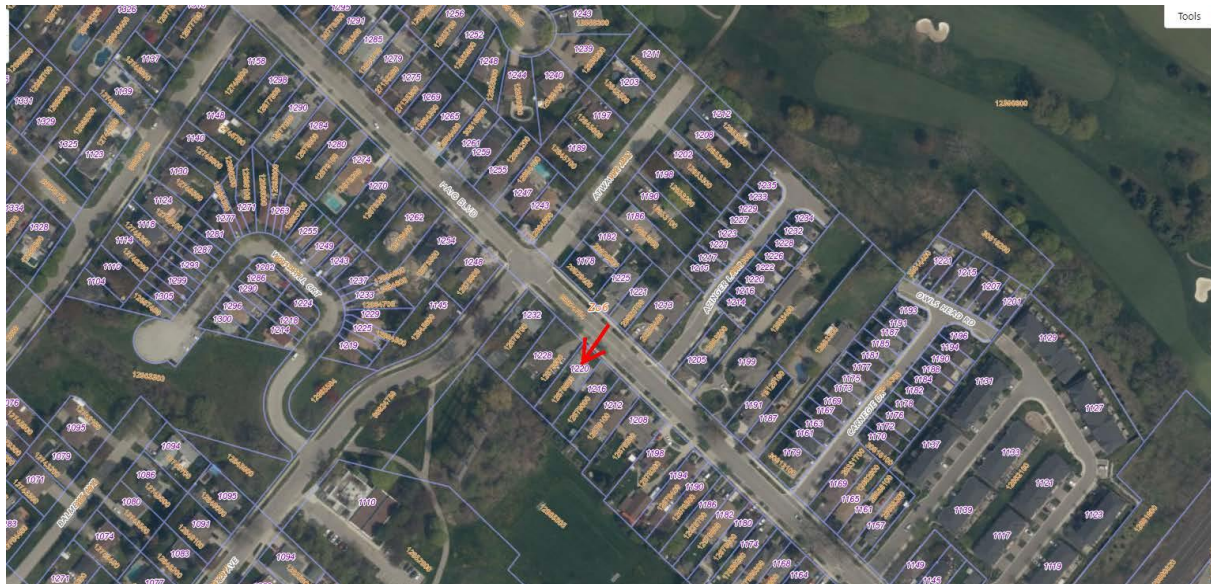
Zoning: R3-75- Residential

Other Applications: Building Permit application BP 9ALT 23-9227

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, southeast of the Atwater Avenue and Cawthra Road intersection. The immediate neighbourhood primarily consists of a mix of one and two-storey detached and semi-detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a second storey addition requiring variances related to setbacks and eave height.



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:

Variance #1-2, #4-9 all pertain to reduction in setbacks. Staff note variance #7 is incorrect, as the proposed setback to the eave is higher than the minimum requirement of the by-law. The general intent of side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. The intent of front yard setback regulations is to ensure that a consistent character is maintained along the streetscape, a sufficient front yard space is incorporated into the design of neighbourhoods and that an appropriate buffer between the porch and lot lines is maintained. Staff note the reduced front yard setback is measured to a portion of the dwelling and that the majority of the dwelling meets the required front yard setback. Furthermore, staff note that the reduced front yard is required to accommodate the eaves, the porch and porch eaves. Staff are satisfied these elements do not pose massing concerns and maintain appropriate front yard space and buffer. Staff note the reduction in the side yard setback is measured to the second storey and the eaves. The first storey meets the minimum side yard setback requirement and the applicant is proposing to align the second storey on top of the first storey.

Staff have no concerns with the requested variances, as they are consistent with setbacks found within the immediate area.

Variance #3 pertains to eave height. The intent of restricting height to the eaves is to lessen the visual massing of dwelling. Planning staff note that no overall height variance is being requested which keeps the massing within an appropriate scale. Staff are satisfied the increase in eave height will not have a significant impact on the massing of the dwelling.

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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-23/9227.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 23-9227. Based on review of the information available in this 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 application. These comments may no longer be valid should there be changes contained within this Committee of

Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrew Wemekamp, Zoning Examiner.

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by Hydro One and leased by the City of Mississauga, identified as Serson Park (P-002) and zoned U – Utility.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Planner in Training - Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – Region of Peel

Minor Variance: A-24-078M -1220 Haig Blvd

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.

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- 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