

City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A87.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 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 house proposing:

1. A side yard setback to the second storey of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. A gross floor area of 393.53sq m (approx. 4235.92sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 306.12sq m (approx. 3295.05sq ft) in this instance; and,
3. A lot coverage of 42.62% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Background

Property Address: 577 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: None

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Area, southwest 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 two-storey dwelling requiring variances for side yard setback, gross floor area 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 located in 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, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

Planning staff have identified concerns regarding variance #2 relating to gross floor area.

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the proposed gross floor area (GFA) is excessive. The proposed gross floor area

will create a dwelling that does not meet the intent of the infill regulations, maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's existing character. Staff are also of the opinion that the proposed dwelling will cause significant massing issues that will directly impact neighbouring properties. As such, staff are concerned that the proposal represents an overdevelopment of the subject property.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to redesign the proposal to address concerns identified above.

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 will be addressed by our Development Construction Section through the future Building Permit process.

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-24-087M / 577 Byngmount Ave

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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 is required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections 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 is required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections 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 by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner