

City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A182.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 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 an addition proposing:

1. Roof top units (external heating and/or air conditioning equipment) whereas By-law 0225-2007, as amended, does not permit roof top units in an R3 Zone in this instance;
2. A centerline setback to Atwater Avenue of 12.20m (approx. 40.03ft) whereas By-law 0225-2007, as amended, requires a minimum centerline setback of 16.00m (approx. 52.50ft) in this instance;
3. A front yard setback of 2.57m (approx. 8.43ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An exterior side yard setback of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
5. 2 driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance;
6. A flat roof height of 8.96m (approx. 29.40ft) whereas By-law 0225-2007, as amended, requires a minimum flat roof height of 7.50m (approx. 24.61ft) in this instance;
7. A gross floor area of 3930.00sq m (approx. 42302.17sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 2124.00sq m (approx. 22862.55sq ft) in this instance;
8. An eave setback of 2.29m (approx. 7.51ft) whereas By-law 0225-2007, as amended, requires a minimum eave setback of 5.50m (approx. 18.04ft) in this instance;
9. A combined circular driveway width of 16.20m (approx. 53.15ft) whereas By-law 0225-2007, as amended, permits a maximum combined circular driveway width of 8.50m (approx. 27.89ft) in this instance; and,
10. 0 Class A Parking Spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 Class A Parking Spaces in this instance.

Background

Property Address: 1293 Meredith Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

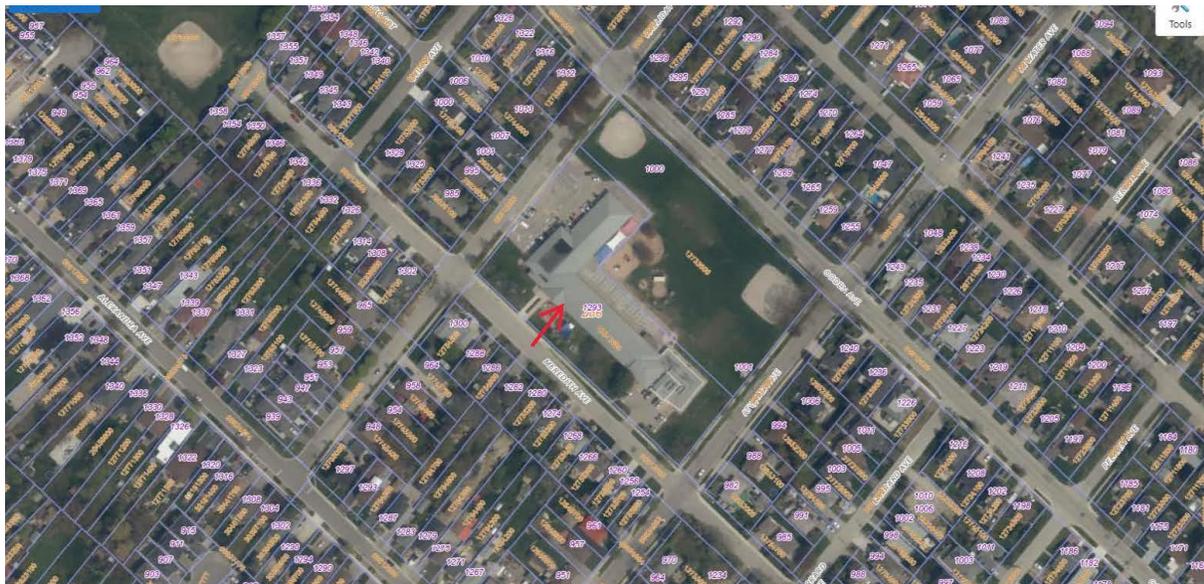
Zoning: R3-75- Residential

Other Applications: PAM 23-122 W1

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area. The property is bound by Halliday Avenue to the North, Atwater Avenue to the South, Ogden Avenue to the East and Meredith Avenue to the West. The immediate neighbourhood is entirely residential consisting of one and two-storey detached and semi-detached dwellings. The subject property contains a one-storey private school use.

The applicant is requesting minor variances to facilitate the development of a new one-storey addition to the existing one-storey private school. The variances are for rooftop structures, gross floor area, lot coverage, setbacks, number of driveways, circular driveway width and number of Class A parking spaces.



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:

Planning staff note that the proposal is subject to site plan control. The applicant has submitted for and attended a pre-application meeting (PAM) with planning staff.

The applicant has also submitted a pre-application zoning review for the proposed development under file IZR SP 23-10544.

Planning staff have no concerns with the proposal in principle, however, staff are unable to evaluate the applicant's variance requests as the variances proposed do not align with the drawings submitted. Staff also note that the variances identified through the pre-application zoning review do not align with the variances requested.

Through discussions with Planning staff involved in the PAM process, staff also note that the site triangle shown on the site plan drawing provided may have been reduced at the request of Transportation and Works staff. This may impact the values of the variances requested and the supporting drawings submitted for the application.

As such, Planning staff recommend that the application be deferred to allow the applicant an opportunity to proceed through the site plan process and identify the correct variances required to facilitate the proposal.

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 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

The Building Department is processing Independent Zoning Review application IZR SP 23-10544. Based on review of the information available in this application, we advise that following amendments are required:

#2. A centerline setback to Atwater Avenue of 12.13m (approx. 40.03ft) whereas By-law 0225-2007, as amended, requires a minimum centerline setback of 16.00m (approx. 52.50ft) in this instance;

#3. A front yard setback of 2.89m (approx. 9.48ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier; 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 adjacent to the property are owned by the City of Mississauga, identified as Petrescue Park (P-104) and zoned OS1 – Open Space – Community Park.

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

1. Given that the property is subject to a development application, PAM 23-122, all of Community Services' comments and/or requirements are being addressed through the development application.
2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
5. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
6. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
7. 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner