

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): A205.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-16 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.

Application Details

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

1. An eave height of 6.46m (approx. 21.20ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. An exterior side yard setback to the window well of 3.83m (approx. 12.57ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.40m (approx. 17.72ft) in this instance;
3. An interior side yard setback to the second floor of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
4. An interior side yard setback to the second storey eaves of 0.44m (approx. 1.44ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.36m (approx. 4.46ft) in this instance;
5. A lot coverage of 44.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
6. A front yard setback to the garage face of 5.22m (approx. 17.13ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
7. A front yard setback to the dwelling of 5.09m (approx. 16.70ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
8. A front yard setback to the second storey eaves of 4.79m (approx. 15.72ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.55m (approx. 18.21ft) in this instance;

9. An exterior yard setback to the dwelling of 2.85m (approx. 9.35ft) whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 6.00m (approx. 19.69ft) in this instance;
10. An exterior side yard setback to the first storey eaves of 2.65m (approx. 8.70ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.55m (approx. 18.21ft) in this instance;
11. An exterior side yard setback to the second storey eaves of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 5.55m (approx. 18.21ft) in this instance;
12. A below grade entry in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entry in the exterior side yard in this instance;
13. An exterior side yard setback to the chimney of 2.85m (approx. 9.35ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.40m (approx. 17.72ft) in this instance;
14. A dwelling depth of 22.72m (approx. 74.54ft) whereas By-law 0225-2007, as amended, requires a minimum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
15. An AC unit setback of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
16. A window well encroachment into the interior side yard of 0.76m (approx. 2.50ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.60m (approx. 1.97ft) in this instance; and,
17. A front yard setback to the first storey eaves of 5.22m (approx. 17.13ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.55m (approx. 18.21ft) in this instance.

Background

Property Address: 2082 Snow Cres

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

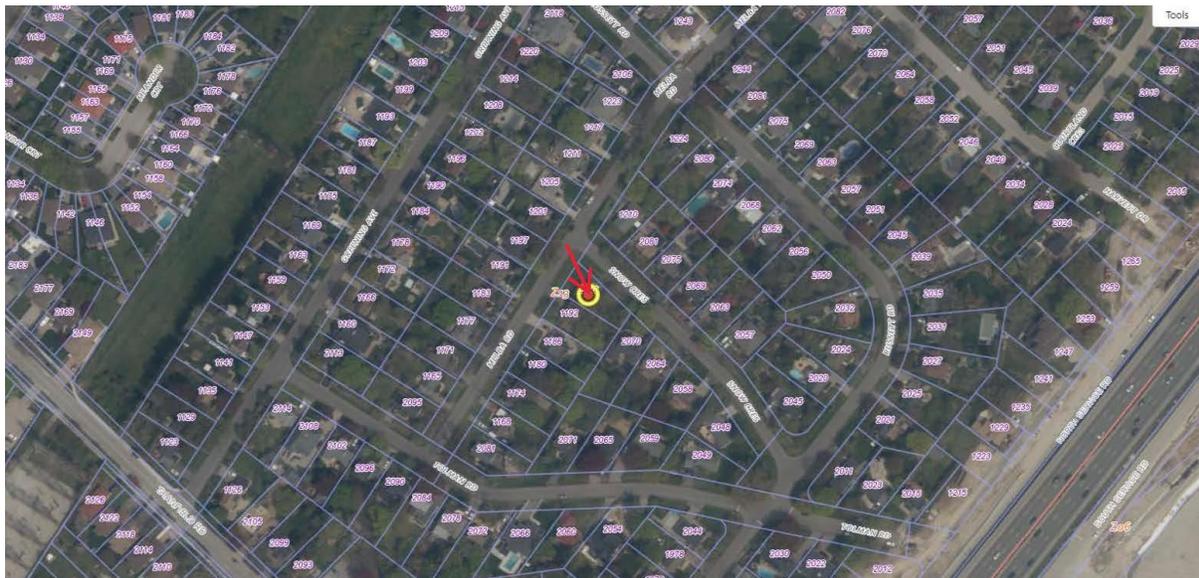
Zoning: R3-75- Residential

Other Applications: Building Permit application BP 9NEW 24-317

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of the Queensway East and Stanfield Road intersection. The neighbourhood is primarily residential, consisting of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front, rear and side yards. The subject property contains a one-storey single detached dwelling on a corner lot with mature vegetation in the front yard.

The application proposes a new dwelling requiring variances for setbacks, eave height, lot coverage, a below grade entry and dwelling depth.



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 property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property.

Variance #1 pertains to eave height. Planning staff have no concerns regarding this variance. The requested variance represents a minor increase over the maximum height regulation. No overall height variance is required. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling,

such as staggered walls, multiple rooflines, decorative columns and varying window sizes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

Variances #2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 15, 16 and 17 are for reduced setbacks. Variances #3, 4, 15 and 16 are for interior side yard setbacks. Staff note that the requested variances are for the second storey portion of the dwelling, eaves an ac unit and window well. The second storey of the dwelling proposes the same setback as the first storey, which is characteristic of two-storey dwellings found in the immediate area. The second storey, eaves, ac unit and window well do not pose massing concerns, nor is access to the rear yard impeded as access is maintained from the exterior side yard. Variances #2, 9, 10, 11, 13 are for exterior side yard setbacks. These variances are required as a result of the triangular shape of the lot, which tapers as you move from the front lot line to the rear lot line. A wide municipal boulevard provides an additional buffer between the dwelling, its features and the streetscape. Access to the rear yard is unobstructed. Variances #6,7, 8 and 17 are reflective of front yard setbacks found in the immediate area.

Variance #12 is for a below grade entrance. The intent of the by-law in prohibiting a below grade entrance in the exterior side yard and facing a street is to prevent a negative visual impact to the overall streetscape. The proposed entrance faces snow crescent. The proposed entrance is not visible when standing perpendicular to the exterior side of the dwelling. The only visible feature of the proposal is a glass railing.

Variance #6 pertains to dwelling depth. Staff note that the dwelling's true depth containing livable area is 21.68m (71.13ft). The additional depth is attributable to an unenclosed rear deck and roof overhangs. These features do not pose significant massing concerns. Staff are of the opinion that the applicant's request represents a minor increase over the maximum regulation. The dwelling also contains staggered walls, multiple rooflines, decorative columns and varying window sizes which assist in breaking up its massing.

Variance #8 is regarding lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Staff note the main dwelling accounts for 35.05% of the total lot coverage. The remaining coverage is attributable to front and rear covered porches and a roof overhang, which do not pose massing concerns.

Through a detailed review of the application, 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: 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 or requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/317.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-317. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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: Andrew Wemekamp, Zoning Examiner.

Appendix 3 – Parks, Forestry & Environment

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

1. 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.
2. 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.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

Minor Variance Application: A-24-205M / 2082 Snow 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

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- 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: Petrele Francois, Junior Planner