

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): A210.24
To: Committee of Adjustment	Ward: 1
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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A garage projection of 0.82m (approx. 2.69ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
2. An interior side yard setback of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance;
3. An eave height of 6.75m (approx. 22.15ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
4. A front yard setback to the eaves of 4.73m (approx. 15.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.50m (approx. 18.04ft) in this instance;
5. A front yard setback to the garage face of 5.18m (approx. 17.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 6.00m (approx. 19.68ft) in this instance;
6. A dwelling depth of 23.77m (approx. 77.99ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
7. A front yard setback to the front porch of 3.70m (approx. 12.14ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 4.40m (approx. 14.44ft) in this instance; and,
8. A lot coverage of 42.60% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

Amendments

The Building Division is processing a Building Permit application BP 9ALT 22-3078. Based on the review of the information available in this application, the requested variance #1 to 3 and 5 to 7 are correct.

We advise that following amendment is required:

4. A front yard setback to the eaves of 4.73m (approx. 15.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.55m (approx. 18.20ft) in this instance;

Also, we advise that more information is required in order to verify the accuracy of the requested variance # 8.

Condition

Should the Committee see merit in the application, Planning staff recommend approval of Variance #6 on the condition that the additional depth only be permitted for the first storey of the detached dwelling.

Background

Property Address: 17 Hiawatha Pky

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

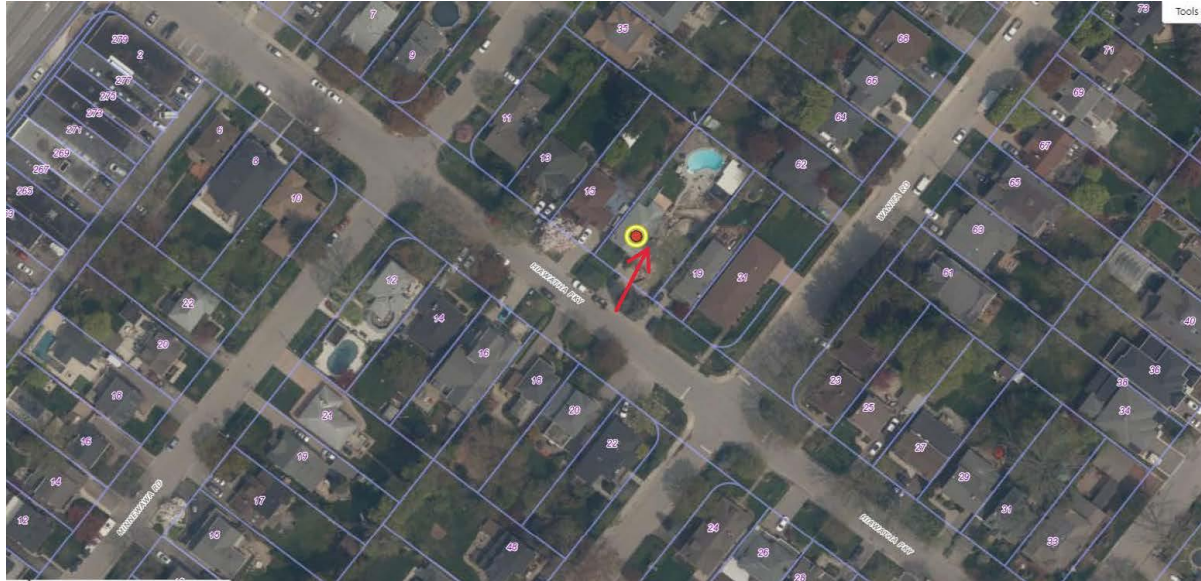
Zoning: R15-8-Residential

Other Applications: Building Permit application BP 9ALT 22-3078

Site and Area Context

The subject property is located in the Port Credit Neighbourhood Character Area (East), southeast of the Hiawatha Parkway and Lakeshore Road East intersection. The immediate neighbourhood primarily consists of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant proposes a new two-storey detached dwelling requiring variances related to setbacks, garage projection, eave height, dwelling depth 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 Port Credit Neighbourhood Character Area (East) and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

Variance #1 is for garage projection. Staff note that the front covered porch projects further than the garage's projection. This deemphasizes the presence of the garage and limits its impact on the streetscape.

Variances #2, 4, 5 and 7 are for setbacks. Variance #2 is for an interior side yard setback with the remaining for front yard setbacks. The proposed interior side yard setback is required to accommodate an extension of the existing wall projecting into the rear yard. The existing wall maintains the same setback as proposed. As such, the impact of this variance is negligible.

Variances #4, 5 and 7 are reflective of front yard setbacks found in the immediate area. These setbacks are for dwelling features that do not have significant massing impacts.

Variance #6 pertains to dwelling depth. While the proposed dwelling depth appears to be excessive, the drawings provided show the second storey complies with the maximum depth requirement. Therefore, the only portion of the dwelling requiring this variance is the first storey of the dwelling along the southern wall. The northern wall has a depth of 15.24m (50ft), which is well below the 20m (65.62ft) maximum. This lessens its overall massing impact. Staff have no concerns regarding this variance, subject to the above noted condition.

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 36.7% of the total lot coverage. The remaining coverage is attributable to an existing deck, shed and pool bar, which do not pose massing concerns.

Through a detailed review of the application, staff is 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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 22/3078.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing a Building Permit application BP 9ALT 22-3078. Based on the review of the information available in this application, the requested variance #1 to 3 and 5 to 7 are correct.

We advise that following amendment is required:

4. A front yard setback to the eaves of 4.73m (approx. 15.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.55m (approx. 18.20ft) in this instance;

Also, we advise that more information is required in order to verify the accuracy of the requested variance # 8.

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: Maria Fernandez, 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.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

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-24-210M / 2082 17 Hiawatha Parkway

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: Petrele Francois, Junior Planner