

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-02-17	File(s): A53.21 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-02-25

## Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

## Application Details

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

1. A lot coverage of 47.90% (135sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (112.00sq.m) in this instance;
2. A gross floor area of 204.00sq.m (approx. 2195.84sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 169.00sq.m (approx. 1819.10sq.ft) in this instance;
3. 2 kitchen whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
4. A side yard measured to an air conditioning unit of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to a deck of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a deck of 7.50m (approx. 24.61ft) in this instance;
6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.80m (approx. 5.91ft) in this instance; and
7. A driveway width of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

## Amendments

The Building Department is currently processing a building permit application under file PREAPP 20-4031. Based on review of the information currently available for this building permit, we advise that the following variance be amended to the following:

A driveway width of 5.92m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

Further, we note that variance #5 is not required.

## Background

**Property Address:** 4120 Uxbridge Lane

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** RM2-2 - Residential

**Other Applications:** PREAPP 20-4031

### Site and Area Context

The property is located south-east of the Rathburn Rd E and Tomken Rd intersection, and currently houses a detached dwelling with minimal vegetation and landscaping in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 281.68m<sup>2</sup> and a lot frontage of approximately +/- 9.18m. Contextually, the surrounding neighbourhood consists of properties exclusively with detached dwellings and lot frontages of +/- 10.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an addition located atop the garage and a rear deck that require variances for lot coverage, gross floor area, 2 kitchens, side yard setbacks and driveway width.



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*.

The subject property is located within the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use; however, does not have regard for proportional distribution of massing on the property as a whole.

The intent in restricting gross floor area is to maintain compatibility between the existing and proposed addition while ensuring the existing planned character of a neighbourhood is preserved. The proposed second storey addition atop the existing garage would create a significant amount of massing from a streetscape perspective. The proposal would be inconsistent with the two storey dwellings within the immediate area resulting in a noticeable

impact to the existing streetscape character. As such, Staff recommend that the application be deferred in order to give the applicant the opportunity to redesign.

## Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

Comments Prepared by: Brooke Herczeg RPP, 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 through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit application under file PREAPP 20-4031. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

A driveway width of 5.92m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

Further, we note that variance 5. Is not required.

Our comments are based on the plans received by Zoning staff on 12/16/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

## **Appendix 5 – Region of Peel Comments**

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner