

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A101.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

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

1. A gross floor area of 484.00sq.m (approx. 5209.73sq.ft) and 530.60sq.m (approx. 5711.33sq.ft) inclusive of garage whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 431.67sq.m (approx. 4646.46sq.ft) in this instance;
2. A lot coverage of 36% (438.60sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% (302.00sq.m) in this instance;
3. A building height measured to the eaves of 6.57m (approx. 21.56ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance;
4. An exterior side yard of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
5. An interior side yard of 2.44m (approx. 8.01ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
6. An exterior side yard measured to a window well of 2.93m (approx. 9.61ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. A front yard measured to the eaves of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance;
8. An exterior side yard measured to the eaves of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance; and
9. An interior side yard measured to the eaves of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 1441 Lochlin Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-1 (Residential)

Other Applications:

Pre-Application: 20-4287

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of Hurontario Street and Mineola Road East. The neighbourhood is entirely residential, consisting one and newer two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with vegetation throughout the lot.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, lot coverage, eave height and deficient exterior, interior and front yard setbacks.



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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 16.18.1 in the Mineola Neighbourhood Character Area of MOP, states that new housing is encouraged to fit the scale and character of the surrounding area. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the

property as a whole. The scale of the proposal is also consistent with other two storey dwellings within the neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 and 3 propose an increase in gross floor area and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings while also lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground, thus maintaining a human scale. In this instance, the overall height of the dwelling is less than the maximum permitted height of 9 m reducing the impact of the increased eave height. The proposed dwelling contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. As a result, the proposed dwelling would maintain compatibility with the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a lot coverage of 36% whereas a maximum of 25% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the eave projection, front covered porch and a deck which make up approximately 11% of the total lot coverage. Excluding these features, the dwelling would have a lot coverage of approximately 24%, less than the maximum permitted. These features do not add significant massing to the dwelling, thereby reducing impact to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #4 and #6 propose deficient exterior side yard setbacks. Through a review of the immediate area, a deficient exterior side yard setback is common and does not significantly impact the streetscape character. One of the exterior side yard setbacks is measured to the window well which does not represent any type of massing impact. Variance #5 proposes a deficient side yard of 2.44 m whereas 3 m is required. This represents a minor deviation from what is required and will not create any additional undue impact from what is required. The remaining variances are deficient setbacks measured to the eaves as they project greater than 0.45 m. The proposed eaves do not add any significant massing to the dwelling and will not significantly impact the neighbouring property and character streetscape. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and further, raise no concerns of a planning nature in this instance.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The dwelling maintains a height less than the maximum permitted 9 m, which lessens the impact of the increased eave height and is not a significant deviation from what is permitted. Additionally, the proposed gross floor area is

similar to newer two storey dwellings within the immediate area and does not significantly alter the streetscape character. As a result the proposed dwelling maintains the existing and planned character of the neighbourhood. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances.

Comments Prepared by: Lucas Petricca, 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 dwelling will be addressed through the required future Site Plan/Building Permit Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 20-4287. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner