

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-17	File(s): A403.20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-25 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

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

1. A gross floor area - infill residential of 325.01sq.m (approx. 3,498.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 291.66sq.m (approx. 3,139.40sq.ft) in this instance; and
2. A height to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 3247 Capricorn Court

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications

Pre-Application: 20-3283

Site and Area Context

The subject property is located within the Malton Neighbourhood Character Area, northwest of Derry Road East and Goreway Drive. The immediate area mostly consists of original one storey detached dwellings with some newer two storey dwellings. The subject property contains an existing one storey dwelling.

The application was deferred from the January 14th, 2021 Committee of Adjustment hearing to allow the applicant to work with staff to reduce gross floor area of the dwelling. The applicant has reduced the gross floor area and has made changes to the design of the dwelling. The applicant is proposing a two storey dwelling requiring variances related to gross floor area and eave height.



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, which 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, and has regard for the distribution of massing on the property as a whole, maintaining the existing and planned context of the surrounding neighbourhood. As such, 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 2 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, in order to give the dwelling a more human scale. In this instance, the overall height of the dwelling maintains by-law provisions of 9 m, reducing the impact of the increased eave height. The proposed dwelling maintains the existing character of the neighbourhood in regards to its massing and will not create any significant impact on the streetscape character from what currently exists. The projecting roof over the garage, visually separates the first and second storey and the gable feature extended over the roofline on the west elevation, results in a design that de-emphasizes the increased gross floor area and height of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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. With the dwelling maintaining the overall height of 9 m, it lessens any impact of the increased eave height which is not a significant deviation from what is permitted. The proposed dwelling contains architectural features that breaks up the overall massing of the dwelling, thereby, limiting the impact of the

increased gross floor area. 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. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

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 new dwelling 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 20-3283. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 12/4/2020 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: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner