

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A140.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 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 proposing:

1. A lot area (existing) of 508.30sq.m (approx. 5471.30sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 39.20% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
3. A building height measured to the eaves of 7.16m (approx. 23.49ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1010 Pelham Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

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 II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is within the Cawthra Village boundary of the Central Residential Neighbourhood Precinct. Section 10.3 (Built Form Types) of the Lakeview Local Area Plan states that the development of detached dwellings will maintain the existing character of the area. The proposed dwelling is similar in scale to newer two storey dwellings in the surrounding neighbourhood and maintains compatibility with the existing and planned character of 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 proposes a deficient lot area of 508.30 m² whereas a minimum of 550 m² is required. The subject lot has existed with a deficient lot area prior to the implementation of Zoning By-law 0225-2007. As the deficiency is an existing condition, staff is of the opinion that the variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature.

Variance #2 proposes a lot coverage of 39.20% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The proposed lot coverage includes a front covered porch and rear deck which will make up approximately 1.70% of the total coverage. The dwelling itself proposes a lot coverage of approximately 37.50%. The proposed dwelling footprint generally maintains a similar size to newer two storey dwellings and does not result in additional variances related to dwelling depth and deficient side yards. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes an eave height of 7.16 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby lowering the overall pitch of the roof. This results in the dwelling maintaining a human scale. The dwelling maintains a height of 9.03 m which is less than the maximum permitted height of 9.50 m which mitigates the impact of the increased eave height. Additionally, the dwelling contains features that breaks up the overall massing to the streetscape. As such, 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 dwelling maintains the existing and planned context of the surrounding neighbourhood. The dwelling contains architectural features which break up the overall massing to the streetscape. Additionally, the overall height of the dwelling is less than the maximum permitted, reducing the impact of the increased eave height. 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 proposed dwelling will be addressed through the required future Building Permit Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-140/21

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner