

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-04-21	File(s): A34.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-29 1:00PM

### 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 coverage of 32.6% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance; and
2. A building height measured to a flat roof of 8.16m (approx. 26.77ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

### Background

**Property Address:** 765 Bexhill Road

#### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Residential Low Density I

#### Zoning By-law 0225-2007

**Zoning:** R2-4 (Residential)

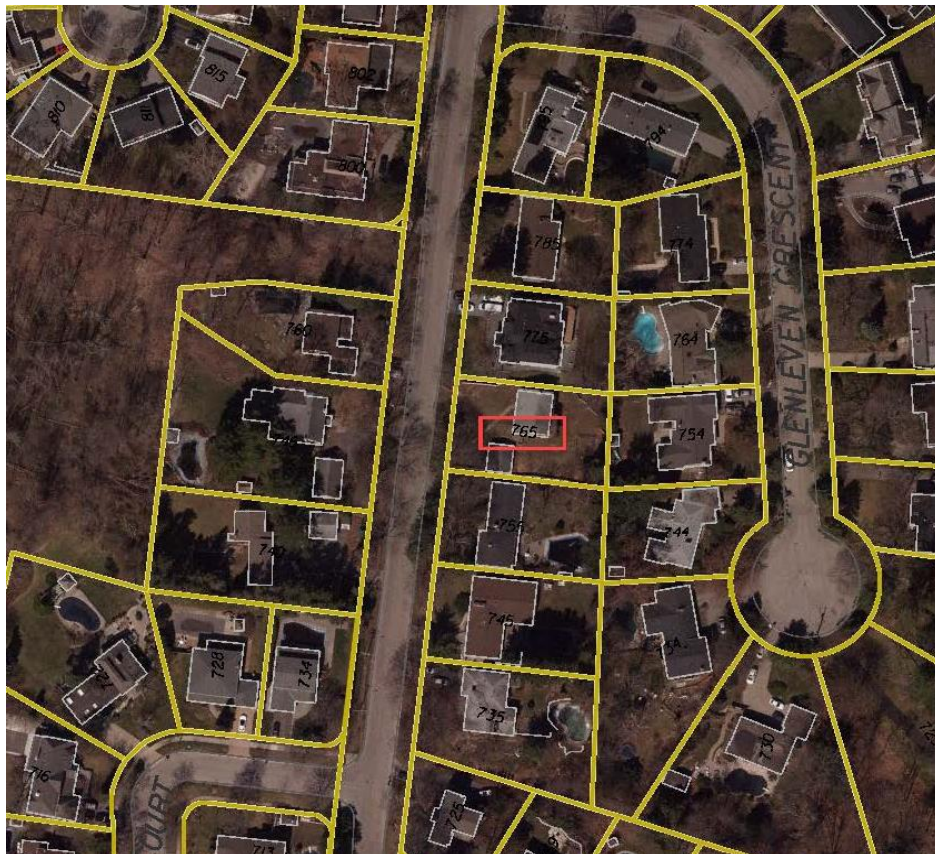
## Other Applications

Site Plan Application: 18-20

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Lorne Park Road and Lakeshore Road West. The neighbourhood is entirely residential consisting of large lots with one or two storey detached dwellings and mature vegetation. The subject property contains an existing one storey detached dwelling with little vegetation.

The application was deferred from the January 28<sup>th</sup>, 2021 Committee of Adjustment hearing to allow the applicant to work with staff and reduce the variances requested. The amended application proposes variances related to lot coverage and flat roof height to accommodate the proposed design of the dwelling.



## 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. As per Section 16.15.1.4 (c) of the Clarkson-Lorne Park Neighbourhood Character Area policies, new housing is encouraged to fit the scale and character of the surrounding area. The applicant provided staff with a scaled concept of the proposed dwelling in relation to the neighbouring properties included in this report (*Appendix 7*). The proposed variances fit within the context of the neighbourhood and does not present significant concerns regarding building massing in relation to neighbouring properties and the streetscape character. 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 lot coverage of 32.60% whereas a maximum of 30% is permitted. The intent in restricting lot coverage is to ensure that the lot is not overdeveloped. In this instance, the dwelling itself maintains a lot coverage of approximately 25%. The increased lot coverage is due to the combination of front covered porches, balconies and eave projections. These features do not add any significant massing to the dwelling in relation to the streetscape character and abutting properties. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a flat roof height of 8.16 m whereas a maximum of 7.50 m is permitted. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize any negative impacts on the streetscape and neighbouring properties. Furthermore, the flat roof height regulation intended to restrict large flat roof dwellings from accommodating a third storey in the dwelling. In this instance, the proposed height accommodates a two storey dwelling and contains architectural features that break up the first and second storey of the dwelling, thereby mitigating the building massing. Additionally, the increased height fits within the context of the immediate area and is not out of scale with the neighbouring properties, limiting any impact to the character of 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 increased lot coverage is due to the front covered porch, balconies and eaves which do not add any substantial massing to the dwelling and does not represent an overdevelopment of the lot. The increased flat roof height contains architectural features that break up the first and second story of the dwelling, limiting the impact to the streetscape. Additionally, the proposed dwelling fits within the scale of neighbouring properties and does not pose a significant massing concerns that would impact the character of the 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 proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/028.

Comments Prepared by: John Salvino, Development Engineering Technologist

**Appendix 2 – Zoning Comments**

The Building Department is currently processing a site plan approval application under file SP 18-20. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Established grade information has not been provided so we are unable to confirm the building height variance requested. With respect to lot coverage staff comments indicate a coverage of 35.3% as opposed to the 32.6% requested.

Our comments are based on the comments provided by Zoning staff on November 6, 2020 for the above captioned site plan 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: Sandra Morrison

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

### Appendix 7 – Development and Design – Scaled concept of 765 Bexhill Road

