

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A186.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 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 – infill residential of 609.92sq.m (approx. 6565.12ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 587.90sq.m (approx. 6328.10sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.95m (approx. 32.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A building height measured to the eaves of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A combined width of side yards of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.41m (approx. 24.31ft) in this instance;
5. Dimensions of hammerhead driveway of 2.60m x 3.20m (approx. 8.53ft x 10.50ft) whereas By-law 0225-2007, as amended, permits dimensions of a hammerhead driveway of 2.60m x 3.0m (approx. 8.53ft x 9.84ft) in this instance; and
6. A driveway width of 9.20m (approx. 30.18ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 1455 Gregwood Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

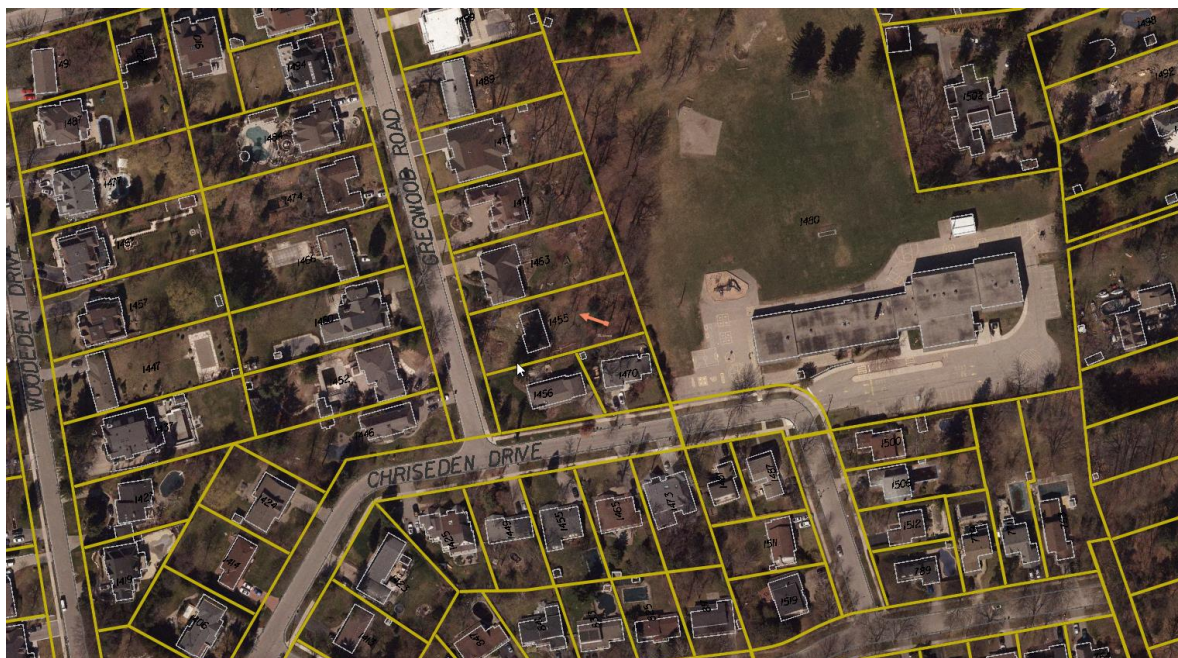
Other Applications

Site Plan Application: 19-128

Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Gove and South Sheridan Way. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation. Abutting the subject property to the rear is an institutional use known as Tecumseh Public School. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The application was previously approved for an increased overall height and eave height on June 23rd, 2020. The subject application requires additional variances for gross floor area, combined side yard width, height and an increased width for a driveway and hammerhead.



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. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed dwelling respects the scale of the surrounding area and maintains compatibility with newer two storey dwellings within the immediate neighbourhood. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variances #1 to 3 propose an increase in gross floor area, dwelling height 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 by bringing the edge of the roof closer to the ground, thereby giving the dwelling a more human scale. In this instance, the calculation of average grade inflates the variances regarding height. If the heights were measured from finished grade, the dwelling would have an overall height of 9.31 m and an eave height of 6.86 m. From a streetscape perspective, the increased eave height represents a minor deviation from the zoning by-law that would not significantly alter the existing and planned character streetscape, maintaining compatibility with the surrounding area.

Variance #4 proposes a combined side yard width of 6.86 m whereas 7.41 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The proposed dwelling contains projections on both sides of the dwelling, thereby creating a deficient combined side yard width. These projections make up a minor portion of the dwelling and do not continue throughout the entire length of the dwelling. Excluding these projections, the combined side yard width would exceed by-law requirements. The proposed dwelling maintains a sufficient buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances are due to the increased width of the hammerhead and driveway. These variances represent minor deviations from what is permitted and will not result in excessive hard surfacing within the front yard. The driveway width is only increased due to the hammerhead. The remaining portion of the driveway maintains a width less than what the by-law permits. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

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

The proposed dwelling maintains compatibility with newer two storey dwellings and does not alter the existing and planned character streetscape. The increased heights are measured to average grade which is approximately 0.64 m below finished grade, thereby inflating the height from a streetscape perspective. Additionally, the combined side yard width is measured to the projections on the sides of the dwelling which make up a minor portion of the side yards. A majority of the dwelling exceeds the required combined side yard width. 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 are being addressed through the Site Plan Application process, File SPI-19/128.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file SPI-19-128. 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: Sherri Takaloo - Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner