

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): A202.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-03 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 gross floor area of 535.20sq.m (approx. 5760.85sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 486.98sq.m (approx. 5241.81sq.ft) in this instance; and
2. A building height measured to the eaves of 6.89m (approx. 22.60ft) 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.

## Background

**Property Address:** 911 Caldwell Avenue

### 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 Applications: 21-24

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Grove and South Sheridan Way. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation and also abuts the hydro corridor to the rear.

The applicant is proposing a new 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 (MOP) which permits detached, semi-detached and duplex dwellings. Section 16.5.1.4 (Infill Housing) of MOP states that infill housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on its adjacent neighbours. 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. 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?**

The application proposes a gross floor area of 535.20 m<sup>2</sup> and an eave height of 6.89 m whereas a maximum gross floor area of 486.98 m<sup>2</sup> and a maximum eave height of 6.40 m is permitted. The intent of the zoning by-law 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. This gives the dwelling a more human scale. In this instance, the overall height of the dwelling maintains by-law provisions of 9.50 m, thereby reducing the impact of the increased eave height. Furthermore, the proposed dwelling contains architectural features that break up the first and second storey, which reduces the overall massing of the dwelling to the character streetscape. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the character streetscape. Staff is of the opinion that the general intent and purpose of 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 compatibility with newer two storey dwellings and does not alter the existing and planned character streetscape. The proposed dwelling contains architectural features that break up the first and second story of the dwelling, which limits the impact to the streetscape and neighbouring properties. Additionally, the proposed dwelling fits within the scale of the immediate 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. 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-21/024.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21 - 24. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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