

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): A43.21 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 ensure that additional variances are not required.

## Application Details

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

1. A gross floor area of 424.00sq.m (approx. 4,563.90sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 374.15sq.m (approx. 4,027.32sq.ft) in this instance;
2. A height of 10.13m (approx. 33.23ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance; and
3. A height to the eaves of 6.66m (approx. 21.85ft) 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:** 1302 Martley Drive

### Mississauga Official Plan

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

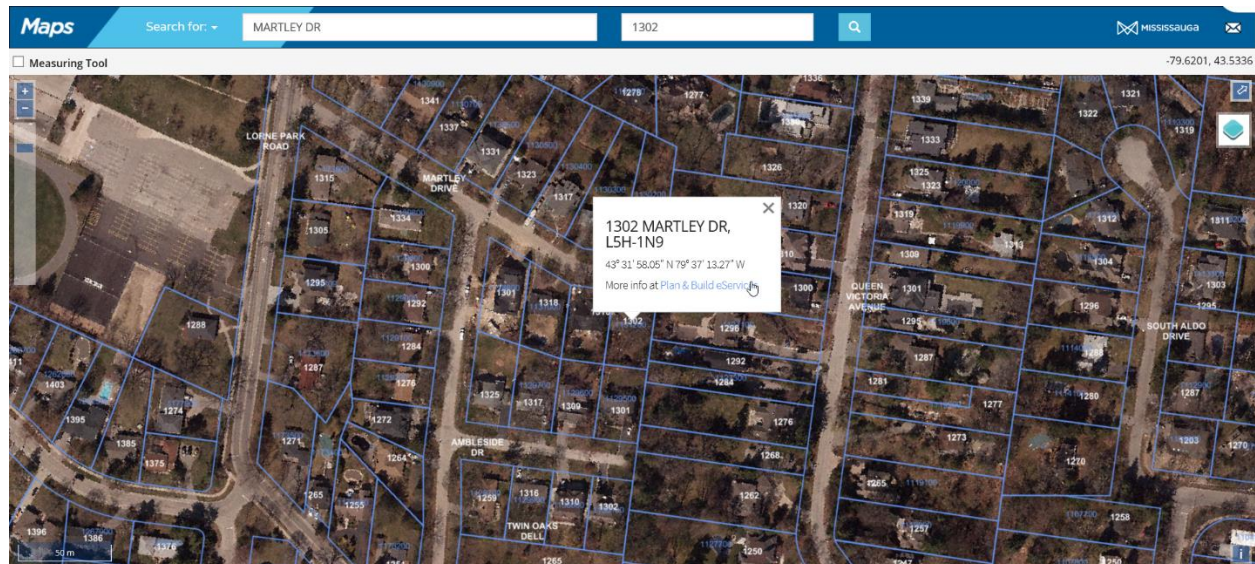
### Zoning By-law 0225-2007

**Zoning:** R2-4 - Residential

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lorne Park Road and Truscott Drive. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with mature vegetation.

The application was previously deferred from the February 18<sup>th</sup>, 2021 Committee of Adjustment hearing to reduce the gross floor area. The application has been revised to include a reduced gross floor area and overall height. Additionally, the combined side yard width has been removed from the application. The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, height and combined side yard width setback.



## 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 detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole, maintaining the character 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 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, the dwelling will have a more human scale. The proposed dwelling contains a staggered front façade with various architectural features, breaking up the overall massing of the dwelling in relation to the streetscape. Additionally, the westerly side of the dwelling is broken up into different rooflines which minimizes the impact of the increased height and massing to the neighbouring property. As such, the proposed dwelling will not significantly alter the existing context of the surrounding neighbourhood. 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 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 overall massing of the dwelling to the streetscape and neighbouring properties. Additionally, the second storey is partially built within the roofline, further mitigating the impact of the increased gross floor area and 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, as amended. However, the applicant may choose to defer the application to ensure that 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 future Site Plan Approval 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

Development Planning: Diana Guida (905) 791-7800 x8243

- Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner