

# City of Mississauga

Memorandum:

## City Department and Agency Comments

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| Date Finalized: 2021-06-16                | File(s): A256.21<br>Ward: 2        |
| To: Committee of Adjustment               |                                    |
| From: Committee of Adjustment Coordinator | Meeting date:2021-06-24<br>3:00 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 on the subject property proposing:

1. A gross floor area of 437.55sq.m (approx. 4,709.75sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 392.26sq.m (approx. 4,222.25sq.ft) in this instance;
2. A height measured to the eaves of 7.05m (approx. 23.13ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
3. An exterior side yard of 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
4. An exterior side yard measured to a chimney of 4.32m (approx. 14.17ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a chimney of 6.89m (approx. 22.60ft) in this instance;
5. An exterior side yard measured to hard surface in the rear yard of 0.33m (approx. 1.08ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to hard surface in the rear yard of 0.61m (approx. 2.00ft) in this instance;
6. An exterior side yard measured to a window well of 2.86m (approx. 9.38ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. An exterior side yard measured to a roof overhang greater than 0.45m of 2.89m (approx. 9.48ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a roof overhang greater than 0.45m of 7.05m (approx. 23.13ft) in this instance;
8. An exterior side yard measured to a balcony of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a balcony of 6.50m (approx. 21.33ft) in this instance; and

9. An exterior side yard measured to a below grade entrance of 2.23m (approx. 7.32ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a below grade entrance of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 1589 Glenhill Crescent

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-1 - Residential

### Other Applications

Site Plan Application: 20-135

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of South Sheridan Way and Indian Road. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property is a corner lot containing a one storey dwelling with mature vegetation within the front and exterior side yards.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, eave height and exterior side yard setbacks.



## 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 437.55 m<sup>2</sup> and an eave height of 7.05 m whereas a maximum gross floor area of 392.26 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 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 is less than the maximum permitted height 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, reducing the overall massing relationship of the dwelling to the existing streetscape. The proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the streetscape character. Staff is of the opinion that the general intent and purpose of zoning by-law is maintained.

The remaining variances propose deficiencies in the exterior side yard which are measured to the dwelling, hard surfacing, eaves, balcony and window well. In this instance, due to the exterior lot line narrowing towards the rear of the property, these deficiencies are created to accommodate the proposed dwelling. It should be noted that the existing dwelling contains greater deficiencies than the proposed variances. The setbacks measured to the chimney, window well, eaves and balcony do not add significant massing to the dwelling in related to the streetscape character. The main setback to the dwelling of 3.90 m is measured at the narrowest and does not continue throughout the entire exterior side of the dwelling. The remaining portion of the dwelling maintains a greater setback than what is proposed. 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, in this instance.

**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 streetscape character. The proposed dwelling contains architectural features that break up the first and second story of the dwelling, thereby limiting the impact to the existing streetscape and neighbouring properties. 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 SP-20/135.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 20-135. 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: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner