

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A232.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 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 dwelling proposing:

1. A gross floor area of 646.64sq.m (approx. 6960.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 598.00sq.m (approx. 6436.82sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.76m (approx. 32.02ft) 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 underside of the eaves of 7.02m (approx. 23.03ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A driveway width of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
5. A setback (westerly) measured from a driveway to a lot line of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a driveway to a lot line of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 1258 Indian 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: 21-6

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, on the south side of Indian Road, north of the Hydro corridor. The neighbourhood is primarily residential, consisting of one and two storey detached dwellings on large sized lots with significant mature vegetation. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The applicant is proposing a new two storey dwelling, requiring variances related to an increased gross floor area, dwelling height, eave height, driveway width and driveway 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, 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, thereby, maintaining the existing and planned character of the 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 increased gross floor area, dwelling height and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings. Furthermore, the regulations also lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, giving the dwelling a more human scale. The dwelling contains a staggered front façade and architectural features that break up the overall massing of the dwelling, minimizing the impact of the increased gross floor area. Additionally, the proposed dwelling contains a second storey to be built within the roofline with a varying eave height which further mitigates the massing of the dwelling to the neighbouring properties. The proposed dwelling maintains the scale of newer dwellings in the immediate area and is not out of character with the existing and planned context of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The variance #4 and 5 propose an increased driveway width and deficient driveway setback. The proposed driveway width is a minor deviation from what the by-law permits and does not significantly increase the hard surfacing on the lot. Regarding variance #5, the proposed deficiency is a minor deviation from the zoning by-law and will not cause any additional undue impact from what is already permitted. Staff is of the opinion that this variance is appropriate to be handled through the minor variance process.

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

The proposed dwelling maintains the existing character of the neighbourhood and is similar to the newer two storey dwellings within the neighbourhood. The dwelling contains a staggered front façade with the second storey to be built within the roofline, resulting in the massing of the

dwelling being reduced and the dwelling being compatible with the existing streetscape character and neighbouring properties. Staff is of the opinion that the application represents orderly development 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-21/006.

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 21-6. 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

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections.

Comments Prepared by: Diana Guida, Junior Planner