

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A267.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-07-15 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 proposing:

1. A lot coverage of 34.72% (324.85sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (280.68sq.m) in this instance;
2. A gross floor area of 397.78sq.m (approx. 4281.67sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 377.12sq.m (approx. 4059.29sq.ft) in this instance;
3. A front yard of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 5.90m (approx. 19.36ft) in this instance;
4. An exterior side yard of 7.26m (approx. 23.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;
5. A building height measured to the highest ridge of 10.26m (approx. 33.66ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
6. A building height measured to the underside of the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

Background

Property Address: 1322 Minaki Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

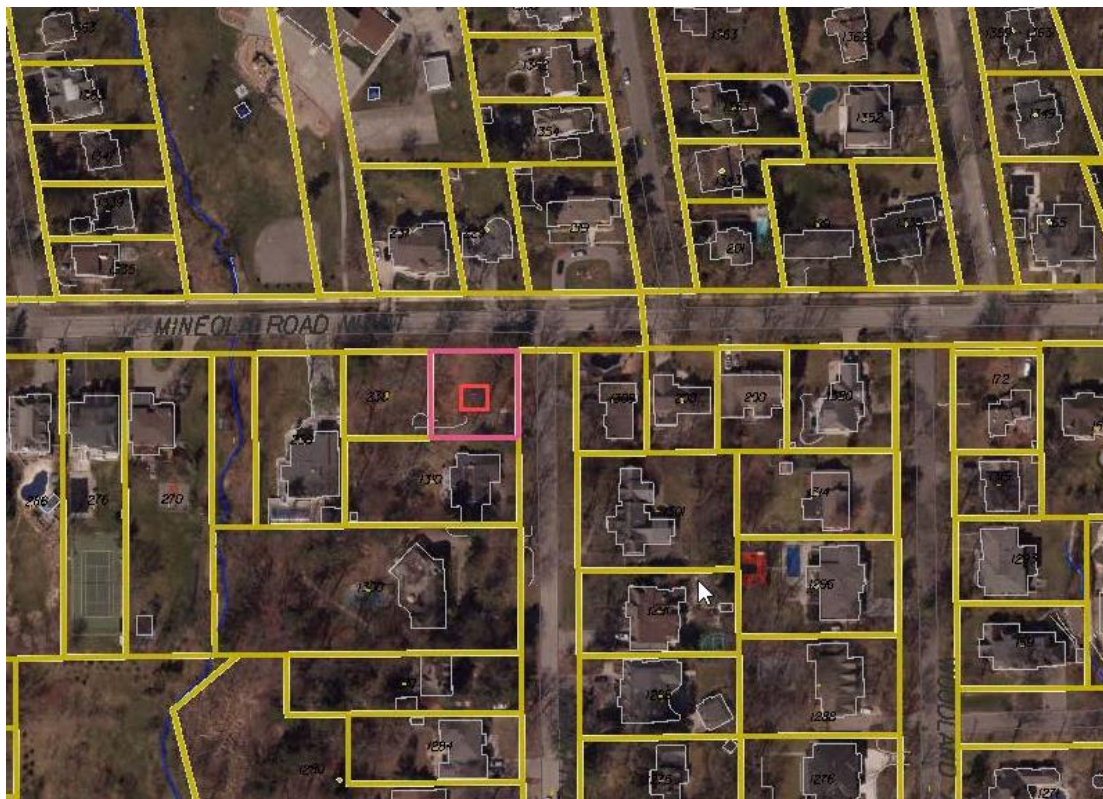
Other Applications

Site Plan Application: 21-36

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Mineola Road West. The neighbourhood is primarily residential, consisting of one and two storey detached dwellings with significant mature vegetation in the front, rear and side yards. Immediately north of the subject property is Kenollie Public School. The subject property is currently vacant and contains mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring variances related to lot coverage, gross floor area, front and exterior side yard setbacks, and height to the eaves and highest ridge.



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 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. 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?

Variance #1 proposes a lot coverage of 34%, whereas a maximum of 30% is permitted. The intent of the by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling itself, including the box windows, maintains a lot coverage of approximately 29.75%. The remaining portion of the lot coverage is due to the front covered porch and rear covered patio. The front porch and rear patio do not add any significant massing to the dwelling that might negatively impact the neighbouring properties and streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2, 5 and 6 propose an increased gross floor area, height to the eaves and highest ridge. 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 keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The requested height variances are attributed to the discrepancy between average and established grade. In this instance, the difference between the average grade and established grade is approximately 0.64 m. From a streetscape perspective, the requested height variances are a minor deviation from the maximums contained in the zoning by-law. Furthermore, by including gables in the roofline and incorporating the second story within the roof structure, these architectural design features have minimize the overall height and massing impact of the proposed dwelling. Additionally, the dwelling contains a staggered front façade, which further

mitigates the visual massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and 4 proposes a deficient front and exterior side yard setback. In this instance, the exterior side yard setback is measured to a roof overhang and the deficient front yard setback is measured to a front planter. The proposed variances are a minor deviation from the zoning by-law's requirement. 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 includes architectural features, such as the second storey being built within the roofline and dormers, which breaks up the overall massing and height of the dwelling. Additionally, the the dwelling contains a staggered front façade, which further mitigates the visual massing of the dwelling. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested 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-21/036.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-36. 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: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-267/21

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