

City of Mississauga Department Comments

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| Date Finalized: 2021-09-08 | File(s): A206.21 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-09-16 1:00:00 PM |

Consolidated Recommendation

The City has no objection to the variances. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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 581.92sq.m (approx. 6,263.9sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 546.10sq.m (approx. 5878.17sq.ft) in this instance;
2. A combined width of side yards of 6.11m (approx. 20.05ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.40m (approx. 24.28ft) in this instance;
3. Height of eaves of 6.706m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) in this instance; and,
4. Height to the peak of a roof of 9.59m (approx. 31.5ft) whereas By-law 0225-2007, as amended, permits a maximum height to the peak of a roof 9.5m (approx. 31.2ft) in this instance.
9.5m

Background

Property Address: 1489 Gregwood Road

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

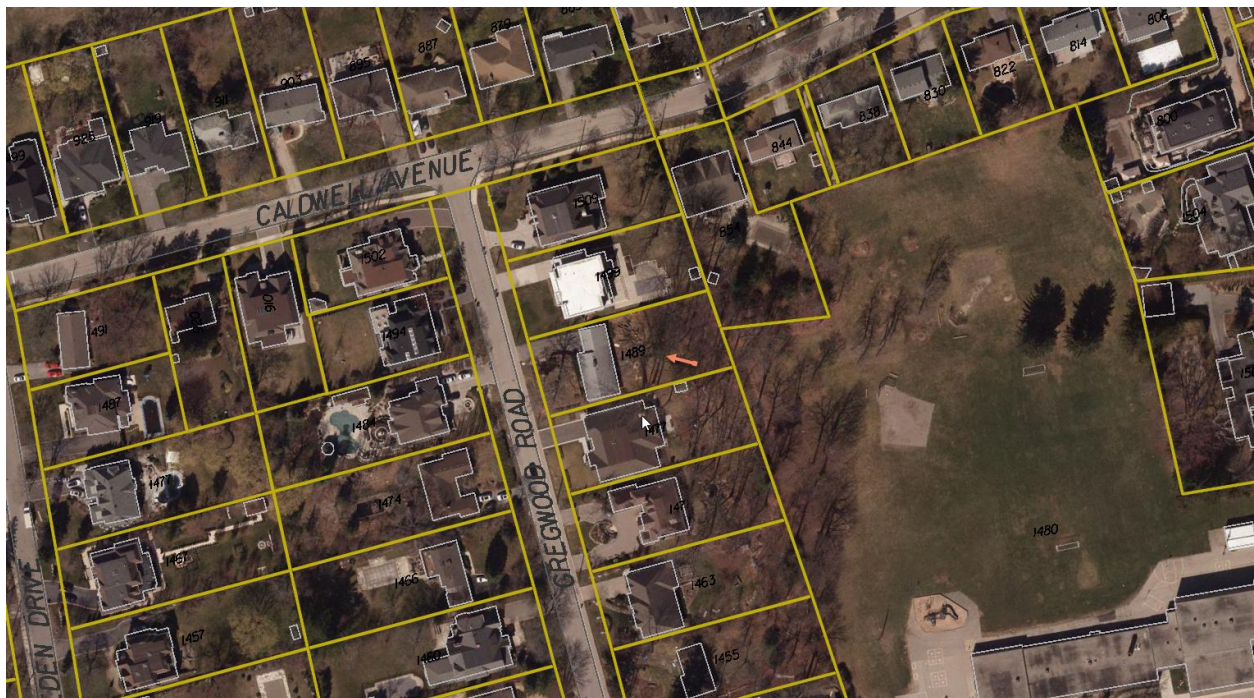
Zoning: R2-4 - Residential

Other Applications: Building Permit 18-2612

Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Gove and South Sheridan Way. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation in the front yards. Abutting the subject property to the rear is Tecumseh Public School, an institutional use. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The applicant is proposing a two storey dwelling requiring variances related to gross floor area, combined side yard width and building heights.



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. New housing is encouraged to fit the scale and character of the surrounding area in order to ensure that new development has minimal impact on adjacent neighbours regarding 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?

Variances #1, 3 and 4 propose an increased gross floor area, height to the eaves and height to the peak of the roof. 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 0.4m. From a streetscape perspective, the dwelling's eave height would be 6.31m and the dwelling's height to the peak of a roof would be 9.19m, which would not require relief from the zoning by-law. Furthermore, by including windows and a gable in the roofline design and imbedding the second storey within the roof structure, minimizes the impacts of both the eave and peak of roof heights and massing 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.

Variance #2 proposes a combined width of side yards of 6.11m, where a minimum combined yard width of 7.40m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff is not concerned with this variance, as the applicant is not seeking additional variances for the side yards. Furthermore, the side yards proposed provided an adequate buffer between the massing of the proposed dwelling and adjacent properties. The setbacks proposed are also consistent with setbacks for dwellings in the immediate 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 includes architectural features, such as gables and proposes to embed the second storey within the roofline, breaking up the overall massing and height of the dwelling. Additionally, the dwelling contains a staggered front façade, further mitigating the visual

massing of the dwelling. Finally, the proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

Comments Prepared by: Connor DiPietro, 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-20/074.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 20-74. Based on latest review of the information currently available in this site plan application on 2021, August 30th, we advise that a zoning review has not been completed; more information is required and unable to confirm the accuracy of the requested variance or determine whether additional variances maybe required.

Comments Prepared by: Sherri Takaloo – Zoning Examiner