

City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A234.21 Ward: 1
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 330.27sq.m (approx. 3555.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.80sq.m (approx. 3194.73sq.ft) in this instance; and
2. A lot coverage of 37.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
3. A roof eave with a maximum height of 7.1m (approx 23.3ft) from average grade, whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) measured from average grade in this instance.

Amendments

While Staff is not in a position to provide an interpretation of the zoning by-law, staff note that variance #2 should be amended as follows:

2. A lot coverage of 37.21% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;

Background

Property Address: 129 Troy Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

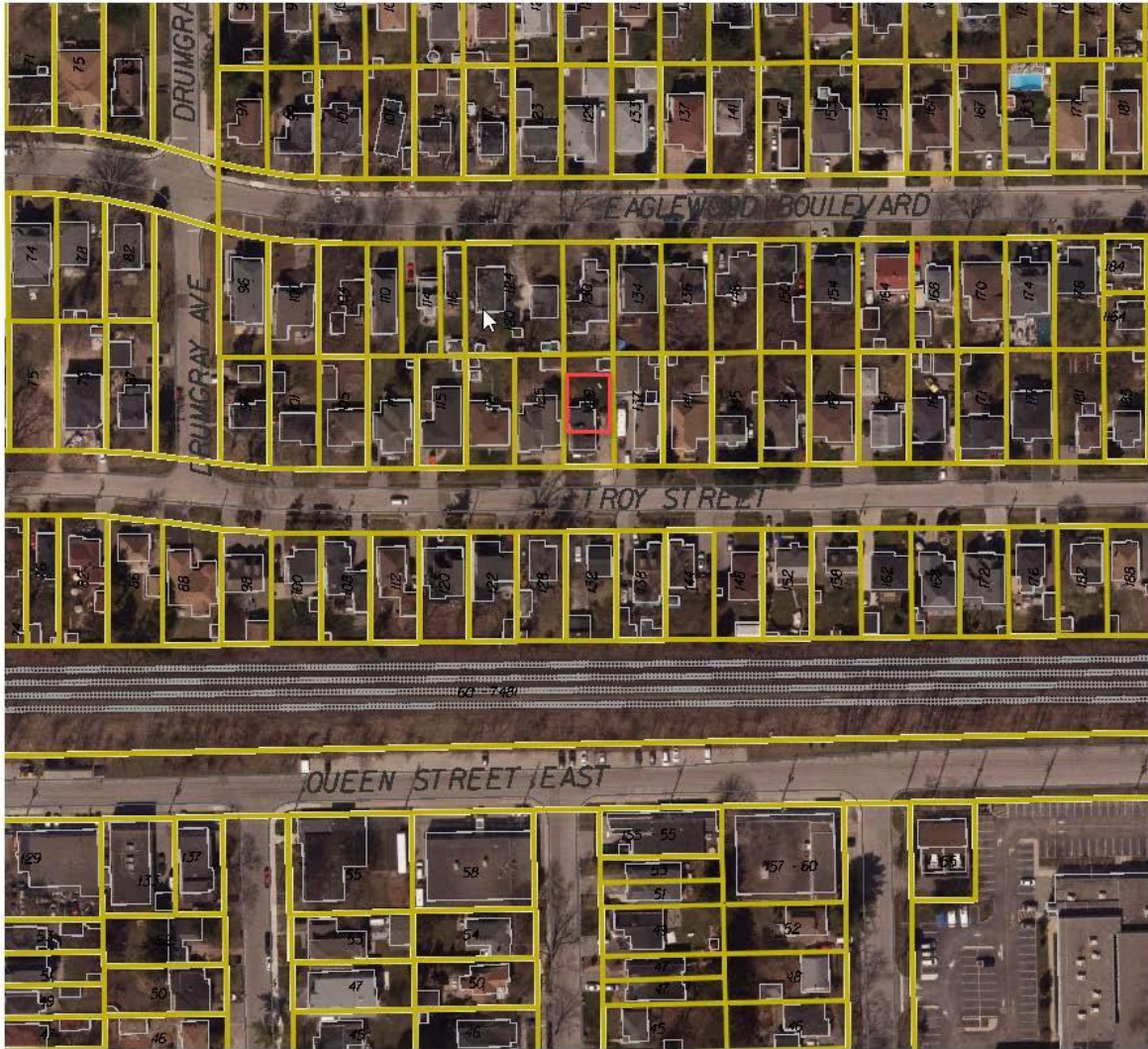
Zoning: R3-1 - Residential

Other Applications: Site Plan Application 20-78-W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Eaglewood Boulevard. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation and landscape elements in the front yards. The subject property contains an existing one storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, lot coverage and eave height.



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 II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 16.18.1 of the Mineola Neighbourhood Character Area policies states that new housing is encouraged to fit the scale and character of the surrounding area. 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 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?

Variance #1 proposes a gross floor area of 330.27m² (3,555.11 sq.ft.) whereas a maximum of 296.80m² (3,194,83 sq.ft.) is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, resulting in the appearance of a reduced overall massing of the dwelling and being reflective of the established streetscape and neighbouring properties. The proposal is consistent with the newer two storey dwellings in the immediate area and does not pose a negative impact to the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a lot coverage of 37.21%, where a maximum of 35% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 34%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to the front and rear covered porches. The covered porches do not add significant massing to the overall dwelling from what is currently permitted. As such, 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 the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. The dwelling contains architectural

features that breaks up the overall massing of the dwelling as a result of the increased gross floor area. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature

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 SPI-20/078.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-78. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner