

City of Mississauga Department Comments

Date Finalized: 2021-09-15	File(s): A136.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-23 1:00:00 PM

Consolidated Recommendation

The Planning & Building Department has no objections to the application, however Heritage Planning objects to the application. The applicant may wish to defer the application to ensure the accuracy of the variances and that additional variances are not required.

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 327.07sq.m (approx. 3,520.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.95sq.m (approx. 3,121.00sq.ft) in this instance;
2. A building height measured to the highest ridge of 8.26m (approx. 27.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and
4. A front yard hammerhead measured at 8.35m x 3.00m (approx. 27.40ft x 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum size of a front yard hammerhead measured at 2.60m x 3.0m (approx. 8.53ft x 9.84ft) in this instance.

Background

Property Address: 6989 Second Line West

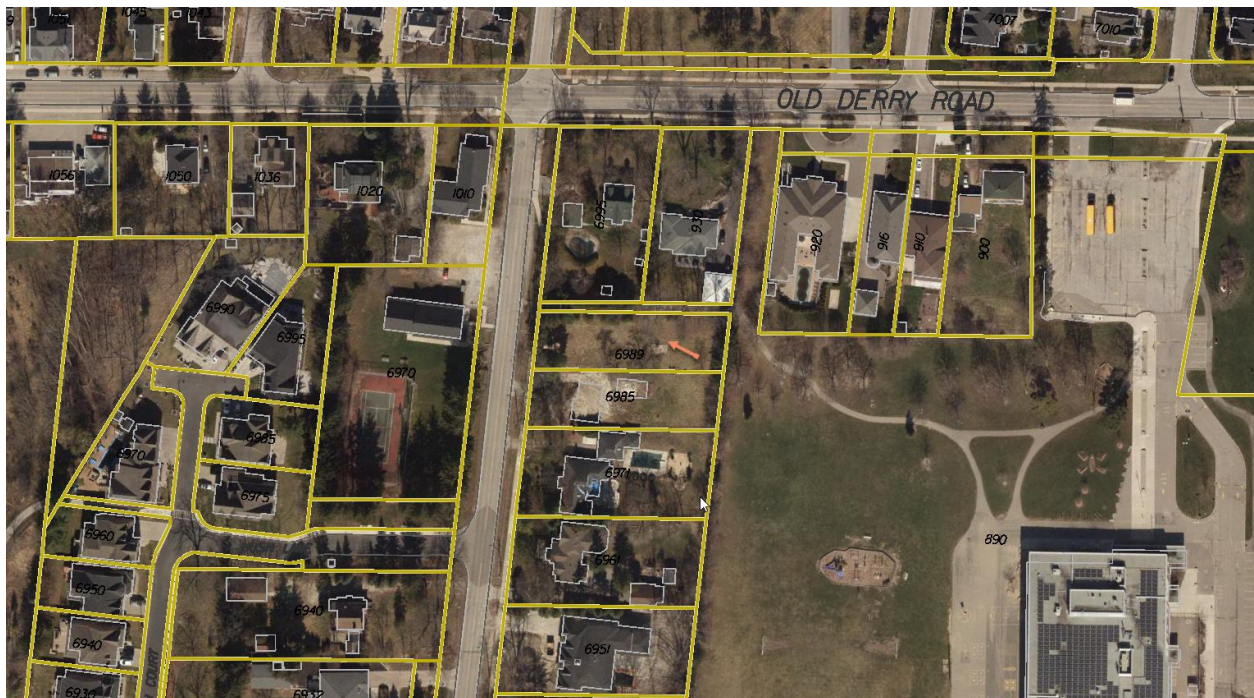
Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007**Zoning: R1-32 - Residential****Other Applications: SPI 20-125 W11****Site and Area Context**

The subject property is located south-west of the Second Line West and Old Derry Road intersection. It has a lot area of +/- 1 299.48m² (13,987.49ft²) and a lot frontage of +/- 19.91m (65.32ft). The property is currently vacant with mature vegetation scattered throughout the lot. Contextually, the area is comprised primarily of two-storey detached dwellings with lot frontages of +/-25.0m (82.02ft) with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, driveway width, and height of the dwelling.



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 located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation only permits detached dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed detached dwelling respects the designated and surrounding land use. Furthermore variances 1-3 maintain the character of the surrounding area and represent increases that would be nearly or completely imperceptible from the streetscape. Staff are satisfied that these variances maintain the general intent and purpose of the Official Plan. Variance 4, however, represents a deviation from the surrounding context and would have a direct impact on the streetscape. Staff are therefore of the opinion that variance 4 does not maintain the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance 1 requests an increase in the gross floor area. The intent of this provision in the by-law is to maintain compatibility between existing dwellings, new dwellings, and the planned character of the neighbourhood. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. It is appropriately situated on the subject property and is designed in a way that screens the additional Gross Floor Area from view and breaks up the massing at the front.

Variance 2 is related to the height of the structure. The intent of the height provisions in the by-law are to lessen the visual massing of the dwelling and keep the dwelling within a human scale. Staff note that the height is measured to only one of the peaks of the sloped roof, and the other peak does not reach the full height of the variance request. The rooflines proposed meet the general intent of the Zoning By-law and are generally reflective of the dwellings along Second Line West. Furthermore the applicant has confirmed that the height of the centre portion of the roof complies with the Zoning By-law. Staff are satisfied that the height request's impacts are minimized by the varying heights of the roof.

Variance 3 requests an increased driveway width. Maximum driveway width provisions are to ensure that the driveway is large enough to accommodate the required parking for the dwelling, while also maintaining sufficient soft landscaping in the front yard. Staff note that the driveway complies with the maximum width for the majority of its length and the requested increase is solely in front of the garage in order to service the double car garage. Staff are satisfied that there are no streetscape impacts or soft landscaping issues related to the driveway request.

Given the above, staff are satisfied that variances 1-3 maintain the general intent and purpose of the Zoning By-law.

Variance 4 proposes an increase in hammerhead size in the front of the subject property. The intent of the hammerhead provisions are to permit a hammerhead large enough to allow for vehicles to turn around on the subject property, but not enable vehicles to park on the

hammerhead. Staff are of the opinion that the proposed hammerhead would permit the parking of motor vehicles parallel to and within view of the street. This would be out of character with the surrounding area and staff are of the opinion that the request does not maintain the general intent and purpose of the Zoning By-law.

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

Staff are of the opinion that the proposal, with the exception of variance 4, represents appropriate development of the subject lands. The proposed dwelling is in character for new builds in the surrounding area and variances 1-3 are minor in nature. The effects of the variances will be nearly or completely imperceptible from the street as well as the neighbouring heritage property to the north due to their location as well as existing mature landscaping. Furthermore Planning Staff are satisfied that the proposal will not create any negative impacts on the abutting heritage property and are satisfied that these requests meet the four tests of the Planning Act. Variance 4, however, in the opinion of staff, is not minor in nature and does not represent appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

In our previous comments we indicated that the Site Plan Application submitted to the Committee was different from the Site Plan submitted through the Site Plan Application Process. We are now advising that Site Plan DWG A01.01 recently submitted for review reflects what is being reviewed through the Site Plan Approval Process.

The previous request for a circular driveway was impacted by the existing hydro pole/street light directly in front which would have required the re-location of the utility pole and conflicted with the existing entrance to the walkway. These concerns have been addressed by removing the circular driveway and providing a hammerhead driveway which will have only one access onto Second Line West.

In view of the above we are noting that any Transportation and Works Department concerns/requirements for the proposed new dwelling can adequately be addressed through the Site Plan Application Process, File SPI 20-125.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 20-125 W11. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 08/09/2021 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Heritage

This property is adjacent to the Meadowvale Heritage Conservation District and is therefore subject to the provisions outlined in the Meadowvale Village section of Mississauga's Official Plan. Heritage Planning is opposed to these variances based on clause 16.17.2.7 which states that "Standards for street layout, parking and loading spaces, landscaping, commons, building

height and location, size and dwelling unit design, including dwelling unit composition, form, massing, setbacks, and spatial relationship with adjacent buildings, site access, lighting, signage, and screening will meet the requirements of the Zoning By-law”.

Comments Prepared by: Andrew Douglas, Heritage Analyst