

City of Mississauga Department Comments

Date Finalized: 2021-11-02	File(s): A461.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-11 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application in order to ensure the accuracy of the requested variances and that no additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction a new dwelling proposing:

1. A gross floor area of 368.85sq.m (approx. 3,970.27sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.20sq.m (approx. 3,188.27sq.ft) in this instance;
2. A building height of 9.3m (approx. 30.5ft) whereas By-law 0225-2007, as amended, requires a maximum building height of 9.0m (approx. 29.5ft) in this instance; and
3. A building height measured to the eaves of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, requires a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 7437 Sills Road

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

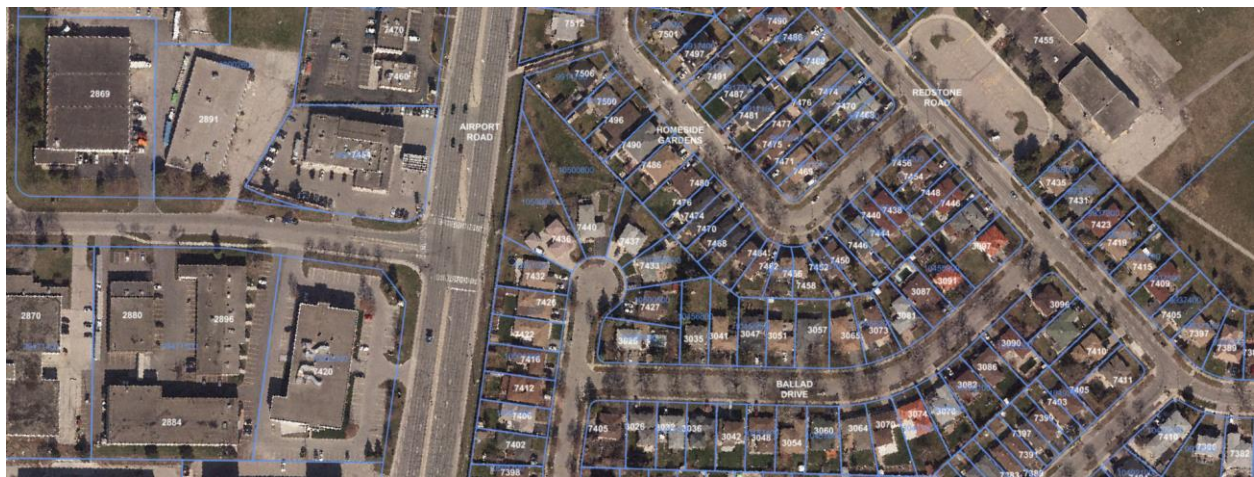
Zoning: R3-69 - Residential

Other Applications: PREAPP 21-6394

Site and Area Context

The subject property is located north-east of the Airport Road and Morning Star Drive intersection. It is a pie shaped lot at the end of the Sills Road cul-de-sac with a lot frontage of +/- 15.16m (50ft.) and a lot area of +/- 731.01m² (7,869sqft²). While the Sills Road cul-de-sac exclusively contains detached dwellings with attached garages, semi-detached dwellings are present further down Sills Road as well as to the rear of the subject property. There is limited vegetation in both the front and rear yards of the subject property and surrounding properties.

The applicant is proposing a new two storey dwelling on the subject property requiring variances for floor area, building height, and height to the eaves.



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:

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. Section 9 of the 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 applicant originally came to the Committee under file number A302/21, where staff recommended deferral. The Committee refused the application and the applicant has returned with a modified proposal. The front yard setback, rear yard setback, and garage projection requests have been removed and the requested gross floor area has been reduced slightly. Height requests for the roof and the eaves remain the same.

The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus keeping the dwelling within human scale. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. In both the original application and this application staff had no concerns regarding the height as the scale of the dwelling is appropriate and the requested increases are minor in nature. Regarding the gross floor area, staff are satisfied that the reduction from the original application and the removal of the garage projection and setback requests has reduced the scale of the dwelling in a manner that is compatible with both the surrounding area and the planned character of the neighbourhood.

Staff are satisfied that the proposed variances are minor in nature and that the proposal represents appropriate development of the subject property. The redesigned dwelling limits any potential impact to the abutting properties and fits appropriately into the character of the area. Given the above, Planning staff are of the opinion that the request: maintains the general intent and purpose of both the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the subject property.

Comments Prepared by: Alexander Davies, 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 will be addressed through the Building Permit Application process.

The Site Plan (Sheet No A1) submitted with the application depicts a 2.286M Easement along the property line and indicates that the easement is on the Registered Plan but not on title. The proposed dwelling is not encroaching into the limits of the easement, although the owner must ensure that the new dwelling is located entirely outside the limits of the easement.

We reviewed our records and found that Plan C-08891, the Plan and Profile Drawing for Sills Road (prepared by G.V Klienfeldt & Associates in 1966) depicts a 15 ft. easement between the subject and abutting property. The Drawing also shows a catchbasin located at the rear of the subject property with a 10 inch pipe connecting to the storm manhole located on Sills Road. We also note from our site inspection that the entire area within the easement is currently free from any structures.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-6394. Based on review of the information currently available in this permit application, we advise that the drawings/proposal has changed, and the comments are no longer applicable. As such, in the absence of a building permit application, we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required.

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: Sherri Takaloo, Zoning Examiner