

City of Mississauga Department Comments

Date Finalized: 2021-11-02	File(s): A467.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-11-11 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. 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 dwelling proposing:

1. A gross floor area of 457.80sq.m (approx. 4927.72sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 429.45sq.m (approx. 4622.56sq.ft) in this instance;
2. A lot coverage of 25.97% (310.96sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and
3. A building depth of 22.21m (approx. 72.87ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 1367 Shadowa Road

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 - Residential

Other Applications: Site Plan Infill – SPI 21-79

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood, northwest of Mississauga Road and Indian Road. The neighbourhood is entirely residential consisting of one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances for gross floor area, lot coverage and building depth.



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?

Variance #1 proposes a gross floor area of 457.80m² (approx. 4927.72ft²), while the by-law permits a maximum is 429.45m²(approx. 4622.56ft²). The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings to ensure the existing and planned character of the neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, minimizing the overall massing in relation to the streetscape and neighbouring properties. The proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the establish neighbourhood character.

Variance #2 proposes a lot coverage of 25.97%, where a maximum of 25% 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 21.58%, 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 covered porches. The covered porches do not add significant massing to the overall dwelling and represent a marginal increase from what is currently permitted.

Variance #3 proposes a dwelling depth of 22.21m (approx. 72.87ft) is proposed where a maximum dwelling depth of 20.00m (approx. 65.62ft) is permitted. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Staff are not concerned with the proposed dwelling depth as the easterly and westerly walls adjacent to the interior and exterior property lines are staggered and contain architectural design elements that will breakup the overall massing of the wall. Furthermore, the applicant is not requesting any height variances, and the dwelling depth is a minor deviation from what is permitted in the zoning by-law. Lastly, the proposed dwelling is located 10.94m away from the easterly property line, which ensures that the massing impacts to the adjacent property would be negligible.

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 design features that breaking up the overall massing of the dwelling. Additionally, the proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character. Staff are of the opinion that the development is desirable and that the proposed variances are minor in nature.

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-21/079.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 21-79 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

We advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above site plan application submitted on 2021/05/19 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