

# City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A445.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances or 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 dwelling proposing:

1. A lot coverage of 27.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and
2. A gross floor area of 356.93sq.m (approx. 3,841.96sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.80sq.m (approx. 3,205.49sq.ft) in this instance.

### Amendments

1. A lot coverage of 27.64% (204.24m<sup>2</sup>); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (184.75m<sup>2</sup>) in this instance; and,
2. A gross floor area – infill residential of 356.86m<sup>2</sup>; whereas By-law 0225-2007, as amended, permits a maximum gross floor area – Infill residential of 297.80m<sup>2</sup> in this instance.

## Background

**Property Address:** 94 Vista Blvd

### Mississauga Official Plan

**Character Area:** Streetsville Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

Zoning: R2-50 - Residential

Other Applications: BP 9NEW 21-7359

### Site and Area Context

The property is located north-east of the Erin Mills Parkway and Thomas Street intersection and currently houses a single-storey detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. While new construction is present, it is not prevalent in this instance. The properties within the immediate area are situated upon large parcels, possessing lot frontages of +/- 22.5m (73.8ft), with moderate vegetative / natural landscaped elements within the front yards. The subject property is an interior parcel, with a lot area of approximately +/- 739m<sup>2</sup> (7,954.5ft<sup>2</sup>) and a lot frontage of approximately +/- 21.34m (70.01ft).

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



## 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 applicant previously appeared before the Committee on November 19, 2020 for a replacement dwelling on the subject property. The variances currently requested are nearly identical to those previously approved. The original decision included a condition tying the approval of the application to the submitted drawings, however changes have been made to the design which necessitated a new application. Staff have reviewed the revised design and note the design changes to the elevations. There do not appear to be any changes to or variances requested from the height of the structure, and changes to setbacks appear to continue to conform to the Zoning By-law. After a full review of the updated application, the opinion of staff remains unchanged from the November 19, 2020 hearing and the comments from the hearing have been attached below. Staff continue to be satisfied that the proposal: maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

#### November 19, 2020 Comments:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The site is located within the Streetsville Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex 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 subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

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

#### Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50.2 (R2 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area to be 297.80m<sup>2</sup> (approx. 3,205.49ft<sup>2</sup>). The general intent of this portion of the Zoning

By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing as a result of construction will not negatively impact the character of the neighbourhood.

Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined sections of the proposed dwelling – the recessed front wall façade contrasting against the projecting entrance area; the multiple gable / roof sections, etc. – resulting in an unobtrusive design from a streetscape perspective.

Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

#### Variance 2 (Lot Coverage)

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50.1 (R2 Exception Zones), the Zoning By-law permits a maximum lot coverage of 25.0%; whereas, the Applicant has proposed 27.88%. The general intent of this portion of the Zoning By-law is to ensure that individual lots are not visibly or disproportionately developed as it pertains to the overall size of the property.

Planning Staff would note the slight pie-shaped nature of the property, which tapers to rear, and results in the site being somewhat smaller from an overall lot area perspective than it would appear from the street. As no side yard variances are required to facilitate this proposal, any additional development resultant of Variance 2 can be assumed to occur within the rear yard, where it is inherently less problematic and more evenly distributed. As such, the proposal results in the suitable allocation of horizontal structural-massing when viewed from a streetscape perspective.

Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

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

Despite the requested variances, Planning Staff cannot identify any additional undue impact created as a result of the proposed increase size of the dwelling, with no subsequent variances requested as it pertains to either increased height, or reduced yard regulations. The application results in both the orderly development of the lands, and whose impacts are minor in nature.

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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9NEW 21-7359. The plans for the building permit application depict a lot coverage and a gross floor area – infill residential that differ than the variances requested. No further information has been submitted to support the variances as requested. Therefore the following amendments are required:

1. A lot coverage of 27.64% (204.24m<sup>2</sup>); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (184.75m<sup>2</sup>) in this instance; and,
2. A gross floor area – infill residential of 356.86m<sup>2</sup>; whereas By-law 0225-2007, as amended, permits a maximum gross floor area – Infill residential of 297.80m<sup>2</sup> in this instance.

Our comments are based on the plans received by Zoning staff on 2021/07/21 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been reviewed through the building

permit 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 building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner - Supervisor