

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A352.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 1:00:00 PM

Consolidated Recommendation

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

1. A lot coverage of 33.75% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 328.76sq.m (approx. 3538.74sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor are of 261.42sq.m (approx. 2813.90sq.ft) in this instance;
3. A building height measured to the highest ridge of 9.06m (approx. 29.72ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.52ft) in this instance; and
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 7086 Harwick Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R3-69 - Residential****Other Applications:** PREAPP 21-5931**Site and Area Context**

The subject property is located near the Morning Star Drive overpass of Highway 427, in the Malton Neighbourhood Character Area. Harwick Drive contains both detached and semi-detached dwellings with limited mature vegetation. The subject property contains a detached dwelling with mature vegetation in both the front and rear yards. It has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 557.10m² (5,996.6ft²).

The applicant is proposing to construct a new dwelling requiring variances for gross floor area, lot coverage, and 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 located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation 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 has worked with Planning staff to reduce the scale of the proposed dwelling and staff are now satisfied that the proposal appropriately balances the existing and planned characters of the surrounding area context. Staff are of the opinion that the application maintains 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 lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context.

Variance 2 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. While the revised proposal represents an increase to the permissions of the by-law, staff are satisfied that the revised proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variances 3 & 4 relate to the height of the structure. Variance 3 requests an increase in height to the highest ridge, and variance 4 is to permit an increase in height to the eaves. 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. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the proposed increases in height are appropriate for the subject property and note that the increase to the overall height is 6 centimetres, which will be indistinguishable from the as of right

permissions. While the increase to the eaves height is larger staff are satisfied that the scale of the roof and dwelling as a whole are appropriate in this instance.

Given the above it is the opinion of Planning staff that the application maintains 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 a building permit under file PREAPP 21-5931. 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 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: Alana Zheng, Zoning Examiner