

City of Mississauga Department Comments

Date Finalized: 2022-03-16	File(s): A550.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-24 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A lot coverage of 30.5% (approx. 425.11sq.m or 4,575.85sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.0% (approx. 348.11sq.m or 3,747.02sq.ft) in this instance;
2. A height of eaves of 6.88m (approx. 22.57ft) measured from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance; and
3. An accessory structure floor area of 30.94sq.m (approx. 333.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Amendments

We advise that the following variance is not required:

2. A height of eaves of 6.88m (approx. 22.57ft) measured from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;

Background

Property Address: 100 Harborn Road

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

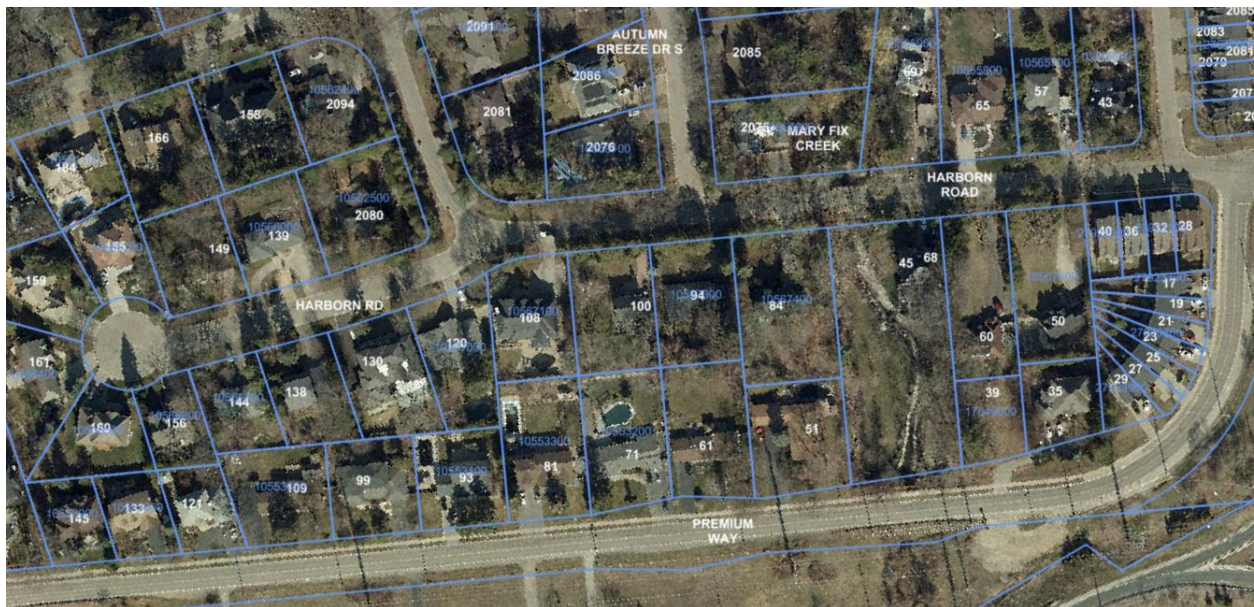
Zoning: R1-7 - Residential

Other Applications: SPI 21-85

Site and Area Context

The subject property is located north-west of the Hurontario Street and Queen Elizabeth Way interchange in the Cooksville neighbourhood, in an area known as Gordon Woods. The subject property currently contains a two storey detached dwelling that is proposed to be demolished. It has a lot frontage of +/-30.46m (99.93ft) and a lot area of +/-1,392.43m² (14,987.99ft²). Significant mature vegetation exists on the subject property, especially near the front property line. The surrounding context consists exclusively of detached dwellings on lots of varying sizes.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for lot coverage, eave height, and accessory structure 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:

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this area. 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 property is further subject to the policies of Special Site 4, which provides high level development guidelines, such as preserving generous yards, protecting landscaping and natural features, limiting hardscaping, and de-emphasizing height. Based on a review of the relevant Official Plan policies, including the policies of Special Site 4, staff are satisfied that the proposal 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 for the subject property. The intent in restricting lot coverage is to ensure there isn't an overdevelopment of the lot and that massing impacts are limited. Staff note that the proposed lot coverage is divided between the main dwelling and associated porches, which account for approximately 28% lot coverage, with the rear cabana accounting for the rest. This has the effect of dividing up the massing across the lot and limiting impacts to abutting properties. Furthermore the proposed design of the dwelling has a limited second floor size, keeping the majority of the floor area and massing on the ground floor.

Variance 2 requests an increased height measured to the eaves. Zoning has indicated that this variance is no longer required.

Variance 3 requests an increased floor area for an accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring lots. The proposed structure does not require any height or setback variances and represents less than 5% of the total lot area. Staff are satisfied that the impacts of the massing of the structure are minimal and that the structure is proportional to the lot.

Given the above, staff are satisfied 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?

Staff are of the opinion that the application is appropriate for the development of the subject lands. The proposal is within character for the neighbourhood and maintains the goals of the Official Plan. Staff are also satisfied that the variances are minor in nature and will not create undue impacts on abutting properties when compared to as of right permissions.

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 Site Plan Application Process, File SPI-21/085.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-85 W7. Based on review of the information currently available in this permit application, variances # 1 and 3, as requested are correct.

We also advise that the following variance is not required:

2. A height of eaves of 6.88m (approx. 22.57ft) measured from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;

Please note that comments reflect those provided through the above site plan application submitted on 2021/12/12 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