

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A185.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 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 proposing:

1. A lot coverage of 37.51% (273.27sq.m or 2,941.45sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 254.92sq.m or 2,743.94sq.ft) in this instance;
2. A height to underside of eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to underside of eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A front yard measured to a feature wall of 4.57m (approx. 15.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a feature wall of 7.50m (approx. 24.60ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-10051. Based on review of the information currently available in this permit application, variances #1 and 2, as requested are correct. In addition, variance # 3 is not required.

Furthermore, the following variance should be added:

3. A setback of 0.0m (0ft) for hard surface landscaping (concrete slab) for the proposed accessory structure in the rear yard whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (2ft) for all hard surface landscaping in the rear yard, in this instance.

Background

Property Address: 2186 Harcourt Cres

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: Building Permit - BP 9NEW 21 10051

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of the Cawthra Road and Queensway East intersection. The immediate area consists of one and two-storey single detached dwellings on lots with significant mature vegetation in both the front and rear yards. The subject property contains a one and a half storey detached dwelling with mature vegetation in the front yard.

The application proposes a new two-storey detached dwelling requiring variances for lot coverage, eave height and front yard.



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 Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, 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 proposal is appropriate for the existing site conditions and is suitable within the surrounding context. Staff are therefore 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 pertains to lot coverage. Variance #1 proposes a lot coverage of 37.51%, where a maximum of 35% 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 29%, 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 front and rear porches, feature wall and pool shed. The porches, feature wall and pool shed do not add significant massing to the overall dwelling from what is currently permitted.

Variance #2 pertains to eave height. 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 by bringing the edge of the roof closer to the ground. This results in the dwelling having a more human scale. The proposed eave height does not pose any massing concerns, especially when considering no overall height variance is requested, and represents a minor deviation from the zoning by-law requirement.

Variance #3 pertains to a front yard measured to feature wall. According to zoning staff, this variance is not required.

Given the above, Planning staff are of the opinion that the proposal 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?

The requested variances represent appropriate development of the lands. The request is minor and is compatible with the surrounding context. Staff are of the opinion that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Connor DiPietro, 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 process, File BP 9NEW 21/10051.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-10051. Based on review of the information currently available in this permit application, variances #1 and 2, as requested are correct. In addition, variance # 3 is not 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: Brandon Eidner, Zoning Examiner