

City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A260.22 Ward 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 1:00:00 PM

Consolidated Recommendation

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

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 – infill residential of 578.58sq.m (approx. 6,227.78sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 558.75sq.m (approx. 6,014.33sq.ft) in this instance; and,
2. A height to underside of eaves of 7.36m (approx. 24.15ft) whereas By-law 0225-2007, as amended, permits a maximum height to underside of eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1617 Birchwood Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Other Application:

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Truscott Drive and Lorne Park Road intersection.

The immediate neighbourhood is residential, consisting primarily of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The application proposes a new two-storey detached dwelling requiring variances related to gross floor area 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 Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached 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. Staff are satisfied that development is compatible with both existing site conditions and the surrounding context, and therefore 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 gross floor area .The intent of the zoning by-law regarding gross floor area is to maintain compatibility between existing and newer dwellings, while also ensuring that the existing and planned character of a neighbourhood is preserved. The proposed dwelling is a minor deviation from the zoning by-law's requirement and contains architectural features, which break up the first and second storey, resulting in the visual of the overall massing of the dwelling being minimized and being compatible with the existing streetscape and neighbouring properties. The proposal does not pose a negative impact to the character of the neighbourhood and is consistent with newer two storey detached dwellings in the immediate area.

Variance #2 pertains to eave height. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. By lowering the overall pitch of the roof, it will keep the dwelling within human scale. Staff note that no overall height variance has been requested. Furthermore, staff note a 0.66m (2.17ft) height discrepancy between the average and finished grade of the dwelling. When viewing the dwelling from finished grade, the dwelling's eave height would be 6.7m (21.98ft), which a minor deviation from the zoning by-law's requirement.

As such, 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?

Planning staff are of the opinion that the impacts of the proposal, to both abutting properties and the streetscape, will be minor in nature. Furthermore, the proposal represents appropriate development of the subject property.

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 new dwelling will be addressed through the Site Plan Application process, File SPI-21/189.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 21-189 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application submitted on 03/28/2022 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

Appendix 3 – Development Engineering

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections [at siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Camila Marczuk, Development Engineering