

City of Mississauga Department Comments

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| Date Finalized: 2022-07-06 | File(s): A277.22 |
| To: Committee of Adjustment | Ward: 2 |
| From: Committee of Adjustment Coordinator | Meeting date:2022-07-14 1:00:00 PM |

Consolidated Recommendation

The City has no objection to Variance #1. However, recommends refusal of Variances #2 and 3. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A dwelling depth of 22.25m (approx. 74.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
2. A height of 9.83m (approx. 32.25ft) measured to highest ridge whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) measured to highest ridge in this instance; and,
3. A height of 6.9m (approx. 22.6ft) measured to the underside of eaves whereas By-law 0225-2007, as amended, permits a maximum height of 6.4m (approx. 21.0ft) measured to underside of eaves in this instance.

Background

Property Address: 1213 Greenoaks Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

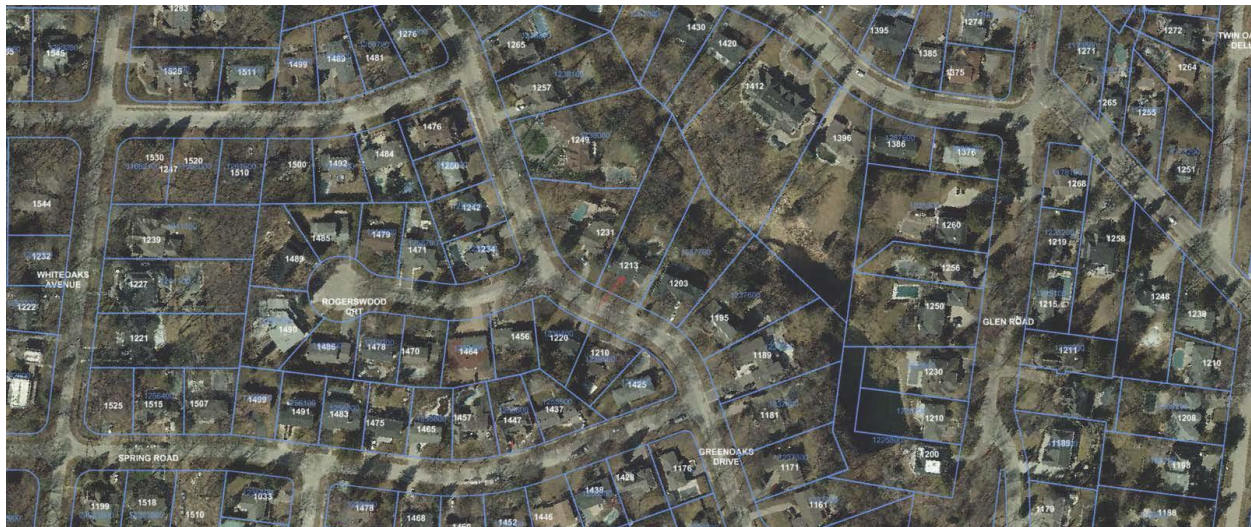
Zoning: R2-4 - Residential

Other Applications: Site Plan Infill application - SPI 21-157

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Truscott Drive and Lorne Park Road intersection. The immediate neighbourhood is primarily residential and consists of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is seeking variances related to dwelling depth and heights.



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 are as follows:

The subject property is located in the Clarkson Lorne-Park Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). Staff note that the proposed dwelling is entirely located on lands designated Residential Low Density I. 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.

Variance #1 pertains to dwelling depth. The intent of the zoning provisions for dwelling depth is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Staff are of the opinion that the variance will have a negligible impact on abutting properties, because the portion of the dwelling requiring the variance is an open covered patio with minimal massing which projects into the rear yard. The rest of the dwelling maintains a depth of 17.94m (58.86ft), which is below the permitted maximum.

Variances #2 and 3 pertain to building and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling. By keeping the edge of the roof closer to the ground, it allows the dwelling to maintaining a more human scale. The average grade of the street is approximately 0.35m (1.15ft) lower than the average grade where the dwelling sits. Thereby exacerbating the height of the dwelling. While staff note that the proposed dwelling contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, staff are concerned that when viewed from the street, the dwelling's height would not maintain compatibility between existing and new dwellings and would be out of character with two-storey dwellings in the immediate area.

As such, staff have no concerns with variance #1, however, recommend refusal of variances #2 and 3.

Comments Prepared by: Connor Di Pietro, 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 current Site Plan application SP-21/157.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-157 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Futhermore, we advise that more information is required in order to 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: 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: Joseph Filice, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the minor variance application for 1213 Greenoaks Drive to facilitate the construction of a new dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator