

# City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A350.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, as amended. 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

3431 Capricorn Crescent

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

1. A lot coverage of 37.07% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 332.81sq.m (approx. 3582sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.12sq.m (approx. 2865sq.ft) in this instance; and,
3. An eaves height of 6.88m (approx. 22.57ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21ft) in this instance.

## Amendments

The applicant has worked with staff to reduce the size of the dwelling, and as such the variances should be amended as follows:

1. A lot coverage of 37.07% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 332.81sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.12sq.m in this instance; and,
3. An eaves height of 6.88m whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m in this instance.

## Background

**Property Address:** 3431 Capricorn Crescent

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

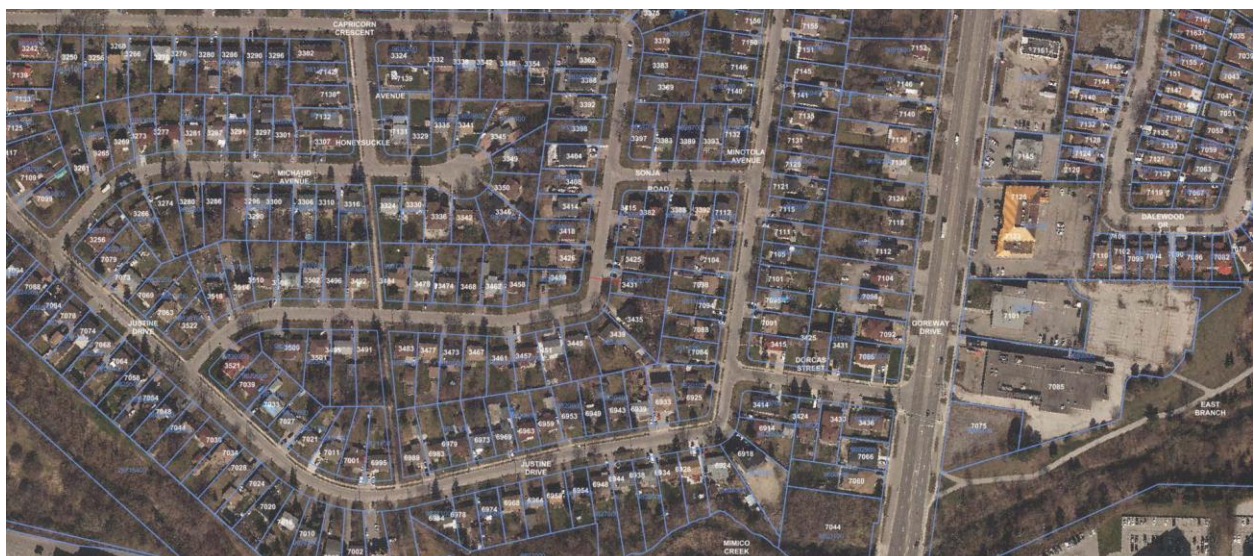
**Zoning:** R3-69 - Residential

**Other Applications:** BP 9NEW 22-1525

### Site and Area Context

The subject property is located north-west of the Goreway Drive and Derry Road East intersection and currently houses a single storey detached dwelling. The subject property is an interior parcel, with a lot area of +/- 580.31m<sup>2</sup> (6,246.40ft<sup>2</sup>) and a lot frontage of +/- 15.24m (50ft). Limited landscaping and vegetation elements are present in both the front and rear yards. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings on similarly sized lots.

The applicant is proposing the construction of a new 2-storey detached dwelling requiring variances for lot coverage, gross floor area, and height of eaves.



## 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 designated Residential Low Density I in the Mississauga Official Plan (MOP) and is within the Malton Neighbourhood Character Area. This 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 proposed variances are compatible with the existing and planned character of the area. 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. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot that would impact the streetscape as well as abutting properties. While the proposed increase in lot coverage appears to represent a significant increase, the majority of the increase is due to the extension of the basement beyond the rear wall of the dwelling and under the proposed uncovered rear patio. This below grade additional space creates minimal massing impacts to abutting properties and has no impacts to the streetscape. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property.

Variance 2 pertains to an increase in Gross Floor Area (GFA). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. While the proposal represents an increase to the permissions of the by-law, staff are satisfied that the revised proposal appropriately balances both the existing and planned built form and the character of the neighbourhood.

Variance 3 requests an increase 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 and 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 and represents a minor deviation from the zoning by-law requirement. Furthermore no overall height variance has been requested, limiting the impacts of the massing of the structure.

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Given the above, staff are satisfied that the requested variances maintain 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: 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 BP 9NEW 22-1525. 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: Sherri Takaloo, Zoning Examiner