

City of Mississauga Department Comments

Date Finalized: 2022-08-17	File(s): A381.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-25 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

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

1. A lot coverage of 32.31% (approx. 267.0sq.m or 2873.96sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (approx. 247.9sq.m or 2668.37 sq.ft) in this instance;
2. A gross floor area – infill residential of 349.95sq.m (approx. 3766.83 sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 315.26sq.m (approx. 3393.43 ft) in this instance; and,
3. An eaves height of 6.89m (approx. 22.6ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Amendments

The applicant has worked with staff in advance of the hearing to address staff concerns, resulting in an amendment to variance 3:

3. An eaves height of 6.65m whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m in this instance.

Background

Property Address: 9 Earl Street

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69-Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Britannia Road West and Queen Street South intersection in the Streetsville neighbourhood. It currently contains a one and a half storey detached dwelling. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 826.35m² (8,894.76ft²), which is characteristic of the surrounding area. The surrounding area context is predominantly residential, consisting mostly of detached dwellings, however commercial and industrial uses are present along Britannia Road West and Queen Street South.

The applicant is proposing to construct a new dwelling requiring variances for lot coverage, gross floor area, dwelling depth and eave 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 Streetsville 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 instance. 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 applicant is proposing a detached dwelling, and staff are satisfied that the overall 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 which would impact the streetscape as well as abutting properties. In this instance the proposed dwelling represents less than 25% lot coverage, however the front, side, and rear porches push the development over the maximum permitted lot coverage. Furthermore the rear porch is uncovered, only counting towards the total lot coverage due to the habitable space located underneath it and below grade. It is the opinion of staff that these porches do not create the same massing impact as the dwelling itself and 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 proposal appropriately balances both the existing and planned built form and 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 revised eave height does not pose any massing concerns in this instance. Furthermore staff note that no overall height variance has been requested, limiting the impacts of the massing of the structure.

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 an 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

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Gary Gagnier, Zoning Examiner

