

City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A447.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

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 36.23% (or 242.00sq m (approx. 2604.87sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% (or 167.00sq m (approx. 1797.57sq ft)) in this instance;
2. A gross floor area of 342.70sq m (approx. 3688.79sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 283.62sq m (approx. 3052.86sq ft) in this instance; and,
3. An eaves height of 7.48m (approx. 24.54ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 20.99ft) in this instance.

Background

Property Address: 5369 Turney Dr

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

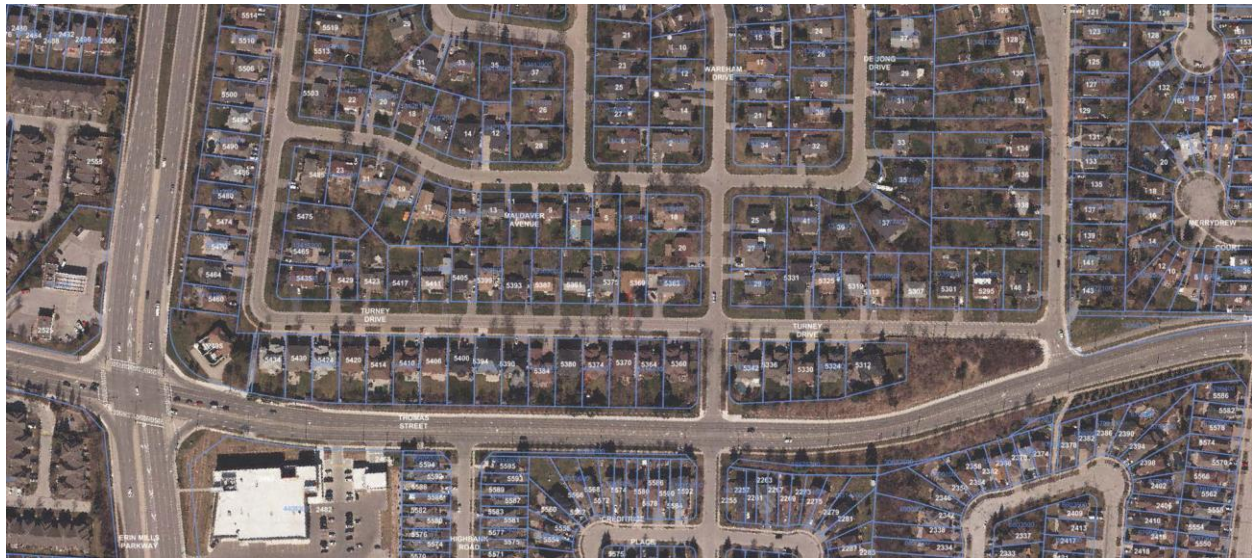
Zoning: R2-50 - Residential

Other Applications: None

Site and Area Context

The property is located north-east of the Erin Mills Parkway and Thomas Street intersection and currently houses a single-storey detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. While new construction is present, it is not prevalent in this neighbourhood. The subject property is an interior parcel with an approximate lot area of +/- 668.5m² (7,195.67ft²) and an approximate lot frontage of +/- 18.29m (60.01ft), which is generally in line with surrounding properties. Limited vegetative / natural landscaped elements are present within the front and rear yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, lot coverage, and height measured to the 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:

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.

Variances 1 & 2 requests increases in lot coverage and gross floor area. The intent of these regulations are to: prevent the overdevelopment of the lot, limit massing impacts to the streetscape and abutting properties, maintain compatibility between existing and new dwellings, and lessen the visual massing of the dwelling. Staff note that the proposal contains sizable open to below areas within the dwelling, which contribute massing above the proposed gross floor area, and staff note that due to recent changes to the zoning by-law surrounding open to below areas the requested gross floor area variance may not be correct. Furthermore the proposed increase in lot coverage is primarily represented by the enclosed portion of the dwelling structure thereby contributing to significant massing impacts.

Variance 3 requests an increase in height measured to the eaves. Staff note that the property does not contain significant grade changes and that the full impact of the increased eave height would be noticeable from both the streetscape and abutting properties. Furthermore the proposed eave height permits the dwelling to present itself as a three storey dwelling.

Given the above, Planning staff recommend that the application be deferred in order to allow the applicant to redesign the proposed dwelling.

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: Andrea Patsalides, Zoning Examiner