

City of Mississauga Department Comments

Date Finalized: 2022-10-12	File(s): A470.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-10-20 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended. 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 an addition proposing:

1. A lot coverage of 30.82% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance;
2. A garage projection of 0.83m (approx. 2.72ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
3. An eaves height of 7.14m (approx. 23.42ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.4m (approx. 20.99ft) in this instance;
4. A combined side yard width of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a combined side yard width of 6.17m (approx. 20.24ft) in this instance;
5. A side yard setback of 2.23m (approx. 7.31ft) whereas, By-law 0225-2007, as amended, requires a side yard setback of 2.41m (approx. 7.90ft) in this instance;
6. A setback of 1.64m (approx. 5.38ft) to the eaves, whereas By-law 0225-2007, as amended, requires a setback of 2.41m (approx. 7.90ft) to the eaves in this instance; and,
7. A front yard setback of 8.39m (approx. 27.52ft) to the feature, whereas By-law 0225-2007, as amended, requires a front yard setback of 9.0m (approx. 29.52ft) to the feature in this instance.

Amendments

The Building Department is currently processing a Site Plan Infill approval application under file SPI 22-51. Based on review of the information currently available in this permit application, the following variances should be amended as follows:

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4. A combined side yard width of 19.51% of the lot frontage (4.46m) whereas By-law 0225-2007, as amended, requires a combined side yard width of 6.17m (approx. 20.24ft) in this instance;

6. A proposed eave encroachment of 0.77m into the required side yard, whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m into the required yard in this instance;

Variance#2 (as requested) is not required.

Background

Property Address: 1317 Ambleside Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

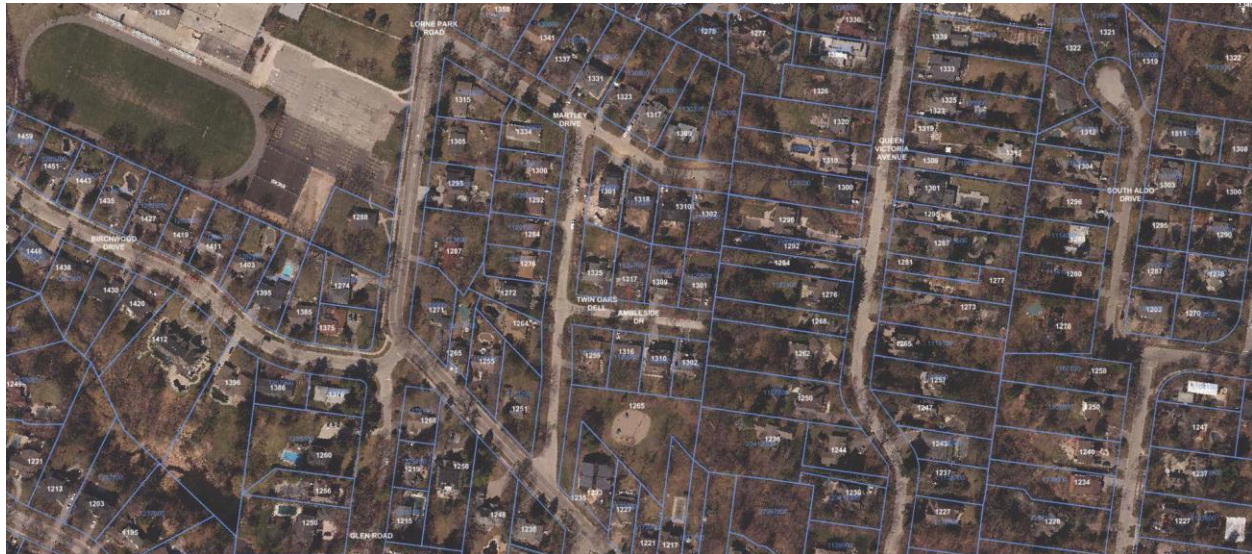
Zoning: R2-4-Residential

Other Applications: Site Plan Infill approval application under file SPI 22-51.

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Truscott Drive and Lorne Park Road intersection. The neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on lots with mature vegetation in the front and side yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a residential addition requiring variances for lot coverage, garage projection, eave height, combined width of side yards and setbacks.



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 II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low-rise dwellings with individual frontages. 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 conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. Staff are satisfied that the general intent and purpose of the official plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 pertains to 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. Staff note that the dwelling itself represents a lot coverage less than the permitted 30%, with the remainder of the coverage being attributed to eave overhangs and a porch. Staff are of the opinion that the eave overhangs and porch do not represent the same massing concerns as if the entirety of the request was for the enclosed structure, and that the proposal is appropriate for both the lot and surrounding context.

According to Zoning staff, variance #2 (as requested) is not required.

Variance #3 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 keeps the dwelling within human scale. Staff note that no overall height variance has been requested. Furthermore, staff note a 0.17m (0.56ft) discrepancy between the average and finished grade of the dwelling. When viewing the dwelling from finished grade, the dwelling's eave height would be 6.97m (22.87ft), which is a minor deviation from the zoning by-law's requirement.

Variances #4, 5, 6 and 7 are regarding side yard widths and setbacks. Staff have no concerns with these variances as the proposed front and side yard setbacks provide an adequate buffer between the massing of the dwelling, adjacent properties and the streetscape. Furthermore, the setbacks proposed are consistent with existing residential setbacks in the immediate neighbourhood.

Staff are satisfied that the general intent and purpose of the zoning by-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Upon review of the application, staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 addition will be addressed through the current Site Plan application SPI-22/051.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill approval application under file SPI 22-51. Based on review of the information currently available in this permit application, the following variances should be amended as follows:

4. A combined side yard width of 19.51% of the lot frontage (4.46m) whereas By-law 0225-2007, as amended, requires a combined side yard width of 6.17m (approx. 20.24ft) in this instance;

6. A proposed eave encroachment of 0.77m into the required side yard, whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m into the required yard in this instance;

Furthermore, we advise that variance # 2 is not required.

Lastly, 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: Adam McCormack, Zoning Examiner