

City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A398.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City has no objections to the minor variance application. 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 gross floor area of 540.70sq m (approx. 5820.05sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 492.40sq m (approx. 5300.15sq ft) in this instance;
2. A building height of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum height to the flat roof of 9.50m (approx. 31.17ft) in this instance and,
3. A height to the eave of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eave of 6.40m (approx. 21.0ft) in this instance.

Background

Property Address: 222 Maplewood Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

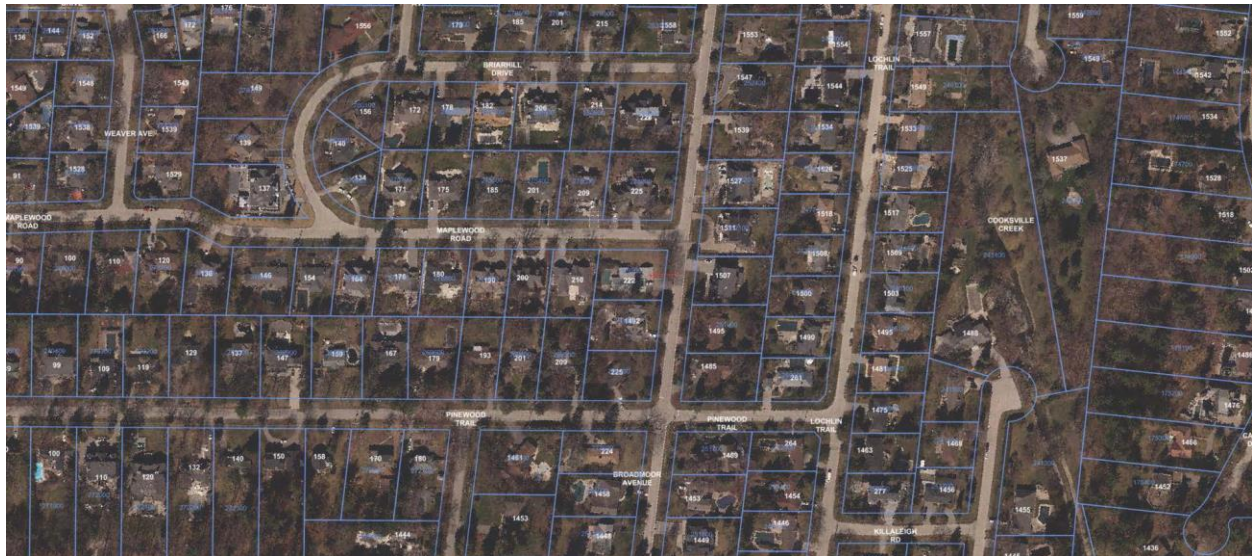
Zoning: R1-2

Other Applications: PAM 21-215, PAM 22-66, SPI 22-49

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and the Queen Elizabeth Way. The immediate neighbourhood is entirely residential, consisting of one, one and a half and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling on a corner lot with mature vegetation in the property's front and side yards.

The applicant is proposing a new two-storey dwelling requiring variances related to gross floor area, eave and building 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*.

The Committee previously deferred the application on September 1, 2022. Staff noted concerns with the proposed gross floor area and overall massing being sought. The applicant has revised their proposal by reducing the gross floor area from 600.95m² (6468.57ft²) to 540.70m² (5820.05ft²), and eave height from 7.11m (24.61ft) to 6.95m (22.80ft). The applicant has also removed variances for lot coverage, side yard setbacks and a window well encroachment. The variance request for maximum height remains the same as was previously requested.

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 Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings. As per Section 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole and will not negatively impact the character of the streetscape. Staff are of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1, 2 and 3 relate to gross floor area, eave height and overall dwelling 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. This results in the dwelling maintaining a more human scale. The proposed dwelling incorporates a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as multiple gables and a staggered façade. The combination of these features help to minimize the overall massing impact in relation to the streetscape and neighbouring properties. Further, the proposal is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character.

As such, staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose any negative impact to the neighbourhood. Furthermore, the dwelling's staggered façade and architectural features breaks up the overall massing of the dwelling stemming from the increased gross floor area, eave and building heights. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings in the neighbourhood. Staff is of the opinion that the application represents appropriate development of the lands and is minor in nature.

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 dwelling will be addressed by our Development Construction Section through the future Building Permit process.

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 22-49. 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: Maria Fernandez, Zoning Examiner