

City of Mississauga Department Comments

Date Finalized: 2023-02-06	File(s): A476.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-02 1:00:00 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 height to the underside of the eaves of 6.63m (approx. 21.75ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance;
2. A gross floor area of 368.45sq m (approx. 3965.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.85sq m (approx. 3636.59sq ft) in this instance;
3. A combined side yard width of 2.87m (approx. 9.42ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
4. An east side yard setback of 1.71m (approx. 5.61ft) whereas By-law 0225-2007, as amended, requires a minimum east side yard width of 1.81m (approx. 5.94ft) in this instance;
5. A west side yard setback of 1.16m (approx. 3.81ft) whereas By-law 0225-2007, as amended, requires a west side yard setback of 1.81m (approx. 5.94ft) in this instance; and,
6. A garage projection of 0.44m (approx. 1.44ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

Background

Property Address: 1265 Lakebreeze Dr

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: Site Plan Infill Application SPI 22-9

Site and Area Context

The subject property is located south-east of the Mineola Road East and Broadmoor Avenue intersection. It currently contains a single storey detached dwelling with an attached garage. The property has an approximate lot frontage of +/- 15.24m (50ft) and an approximate lot area of +/- 738.96m² (7,954.10ft²), which is smaller than average lot size along Lakebreeze Drive but is characteristic of the larger neighbourhood. Limited landscaping and vegetative elements are present on the subject property. The surrounding neighbourhood is exclusively residential, consisting of a mix of one and two-storey detached dwellings.

The applicant is proposing to construct a new dwelling requiring variances for height to the eaves, gross floor area, combined side yard width, side yard setbacks, and garage projection.



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 deferred the above noted application on October 27th, 2022, to allow the applicant an opportunity to confirm the accuracy of the requested variances, reduce the roof and eave heights of the proposed dwelling, and to recalculate the gross floor area (GFA) in accordance with the revised definition of GFA- infill residential.

The applicant has submitted a revised proposal. The variance request for roof height was eliminated. Eave height was reduced from 6.94m (22.77ft) to 6.63m (21.75ft) and the gross floor area has been re-calculated in accordance with the revised definition of GFA-infill residential.

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 dwellings. 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 and 2 relate to gross floor area and eave 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 large windows, multiple rooflines 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.

Variances #3,4,5,6 pertain to the garage projection and setbacks, which remain the same. Staff had no concerns with the original submission of these variances.

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 architectural features break up the overall massing of the dwelling stemming from the increased gross floor area and eave 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 22-9. 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