

City of Mississauga Department Comments

Date Finalized: 2023-03-22	File(s): A635.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-03-30 1:00:00 PM

Consolidated Recommendation

The City has no objection to the minor variance application. 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. An eaves height of 8.14m (approx. 26.71ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A ridge height of 9.71m (approx. 31.86ft) whereas By-law 0225-2007, as amended, permits a maximum ridge height of 9.00m (approx. 29.53ft) in this instance;
3. A flat roof height of 9.35m (approx. 30.68ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
4. An infill gross floor area of 503.01sq m (approx. 5414.35sq ft) whereas By-law 0225-2007, as amended, permits a maximum infill gross floor area of 451.78sq m (approx. 4862.92sq ft) in this instance; and,
5. A dwelling depth of 24.49m (approx. 80.35ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 1624 Exbury Cres

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 Application under file SPI 21-179****Site and Area Context**

The subject property is located in the Mineola Neighbourhood Character Area, southwest of the Blanefield Road and South Service Road intersection. The immediate neighbourhood contains a mix of older and newer one to two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey dwelling with vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to heights gross floor area and dwelling depth.

**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 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 regarding 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. The new development will not negatively impact the character streetscape. Staff is 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, 3 and 4 relate to gross floor area and heights. 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. Furthermore, staff note a 0.68m (2.23ft) discrepancy between the average grade and the grade of the top of the foundation wall where the dwelling sits. Therefore, when viewing the dwelling's façade from the street, the dwelling's overall height and eave height would appear to be 0.68m (2.23ft) lower than the value of the variances. Staff note that variance #3 with respect to flat roof height appears excessive; however, this is only to a column/architectural feature wall. The rest of the dwelling is covered by a sloped roof, which contains less massing than a flat roof. Lastly, 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.

Variance #5 is for dwelling depth. The intent of the dwelling depth regulation is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Planning staff have no concerns with the requested variance, as the dwelling's additional depth exceeding 20m (65.62ft) is only attributable to a cantilevered portion of the dwelling on the second floor projecting into the rear yard where the primary bedroom and balcony is located, and a covered front yard porch. Neither of these dwelling features add significant massing to the dwelling. Furthermore, the first storey of the dwelling maintains a depth of 20.92m (68.64ft), which represents a minor deviation from the maximum requirement.

As such, Planning staff have no concerns with the proposed variances and 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?

Planning staff are of the opinion that the impacts created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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 Application under file SPI 21-179. 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: Alana Zheng, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance Application: A-635/22 - 1624 Exbury Crescent

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner