

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A143.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variance 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. A sloped roof height 9.75m (approx. 31.99ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.50m (approx. 31.17ft) in this instance;
2. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
3. A driveway width of 8.50m (approx. 27.87ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law, staff recommend that variance #3 be removed.

Background

Property Address: 1769 Coram Crescent

Mississauga Official Plan

Character Area: **Dixie Employment Area**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Dixie Employment Character Area, southeast of the Dundas Street East and Dixie Road. The surrounding neighbourhood consists of commercial, institutional and residential uses. The residential housing consists of older and newer one and two-storey detached dwellings, and one-storey semi-detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a new two-storey detached dwelling and requires variances for setbacks, building depth, an attachment width and eave height.



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 located in the Dixie Employment Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. 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?

Variations #1 and 2 relate to dwelling height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. Staff note that variance #1 numerically represents a minor deviation from the regulation. Furthermore, the grade of the subject property also influences the values contained in the variations. The difference between average grade and the grade at where the dwelling sits is 0.27m (0.89ft) therefore, when viewing the dwelling from the front lawn it would appear to be 0.27m (0.89ft) shorter. While the value of variance #2 appears excessive, 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, moulding dividing the first and second storey and a staggered façade. The combination of these features help to minimize the overall massing impact in relation to the streetscape and neighbouring properties. 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 #3 relates to driveway width. Planning staff are of the opinion that this variance is not required. The maximum driveway width permitted on a property of this size, is 10.5 metres (34.45 ft) within 6 metres (19.69 ft) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89 ft) for the remainder of the driveway. The applicant is proposing an 8.5m (27.89ft) wide driveway that tapers to 6m at the street. Therefore, no variance is required.

As such, staff are satisfied 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?

Upon review of the application, staff are satisfied that the proposal represents the appropriate development of the subject lands. The variations, 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 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

We note that a Building Permit is required. In the absence of a Building Permit 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-23-143M – 1769 Coram 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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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