

City of Mississauga Department Comments

Date Finalized: 2023-08-16	File(s): A186.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-08-24 1:00:00 PM

Consolidated Recommendation

The City has no objections to the 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. A building height of 8.48m (approx. 27.82ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance;
2. An underside of eaves height of 8.25m (approx. 27.07ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance; and,
3. A dwelling depth of 21.73m (approx. 71.29ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 746 Meadow Wood Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

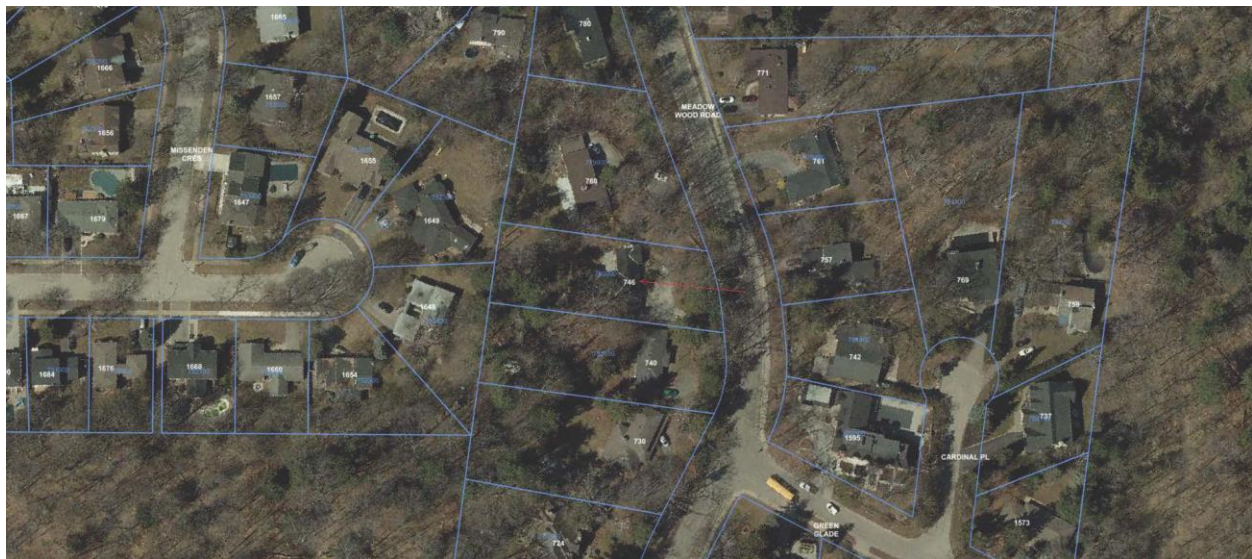
Zoning: R1-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road North and Lakeshore Road West intersection. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains a one-storey detached dwelling with mature vegetation throughout the property.

The application proposes a new two-storey detached dwelling requiring variances for building height, eave height, 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:

Staff note that this application was deferred on June 22, 2023 to allow the applicant to redesign the proposal to address staff concerns. The applicant has since reduced the proposed flat roof height from 10.43m (34.21ft) to 8.48m (27.82ft) and the eave height from 10.43m (34.21ft) to 8.25m (27.06ft). The dwelling depth has decreased from 36.93m (121.16ft) to 21.73m (71.29ft) and the variance previously requested for garage projection has been eliminated.

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). The designation permits detached, semi-detached and duplex dwellings. Section 9 of the 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 proposed dwelling maintains the permitted residential use and is designed in a way that respects both the existing site conditions and the surrounding context. Planning 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 flat roof height and variance #2 is to permit an increase in height to the eaves. The intent in restricting height to the flat roof and eaves is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize negative impacts on the streetscape and neighbouring properties. The intent of regulating the flat roof height is also to prevent a third storey as of right due to a combination of maximum permitted height and its architectural style. The proposed dwelling is 2 storeys in height, and staff note that the flat roof height is measured to a small portion of the dwelling in the centre. The majority of the roof structure has a height of 8.07m (26.47ft). Staff note the average grade is significantly below grade for the majority the dwelling. It is staff's opinion that the dwelling is designed in a way to minimize impacts by varying roof heights and providing significant setbacks to the streetscape. Staff are satisfied that the dwelling maintains an appropriate height and will not present as its full requested height.

Variance #3 requests an increased dwelling depth. The intent of this provision is to minimize the impacts of long walls on neighbouring lots as a result of the massing. Staff note that a portion of the dwelling is one-storey in height, thereby breaking up the overall massing of the dwelling. Staff also note that the dwelling's side walls are broken up through the use of differing architectural features and materials. Staff are of the opinion that the request will not create any negative impacts on adjoining properties.

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?

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: Shivani Chopra, Planner in Training

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 – CVC

Please see below CVC comments for Minor Variance application A186.23 (746 Meadow Wood Road, Mississauga):

Please note that CVC previously reviewed and commented on the proposal for this application. We have no further comments and no objection to the revised Minor Variances by the Committee at this time.

Please let me know if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 4 – Region of Peel

Deferred Minor Variance Application: A-23-186M – 746 Meadow Wood Road

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.

Planning: Patrycia Menko (905) 791-7800 x3114

Comments:

- The Credit Valley Conservation Authority (CVC) determined there is no regulated slope, which was the cause of the property appearing under the CVC's jurisdiction. As such, the Region retracts their previous planning comments.

Comments Prepared by: Patrycia Menko, Junior Planner