

City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A90.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 1:00:00 PM

Consolidated Recommendation

The City has no objections to the 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 house proposing:

1. A flat roof height of 9.43m (approx. 30.93ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
2. A lot coverage of 29.35% (approx. 229.11 sq.m) whereas By-law 0225-2007, as amended, permits a lot coverage of 25% (approx. 195.15 sq.m) in this instance;
3. A gross floor area (infill residential) of 384.48sq.m (approx. 4138.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 306.12sq.m (approx. 3295.04 sq.ft) in this instance; and;
4. A front yard setback of 4.81m(approx. 15.78ft) measured to the front porch inclusive of stairs whereas By-law 0225-2007, as amended, requires a front yard setback of 5.90m(approx. 19.35ft) measured to the front porch inclusive of stairs in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, staff recommend the following condition be added:

1. Construction related to this variance shall be in general conformance with the drawings approved by the Committee.

Background

Property Address: 12 Wareham Drive

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

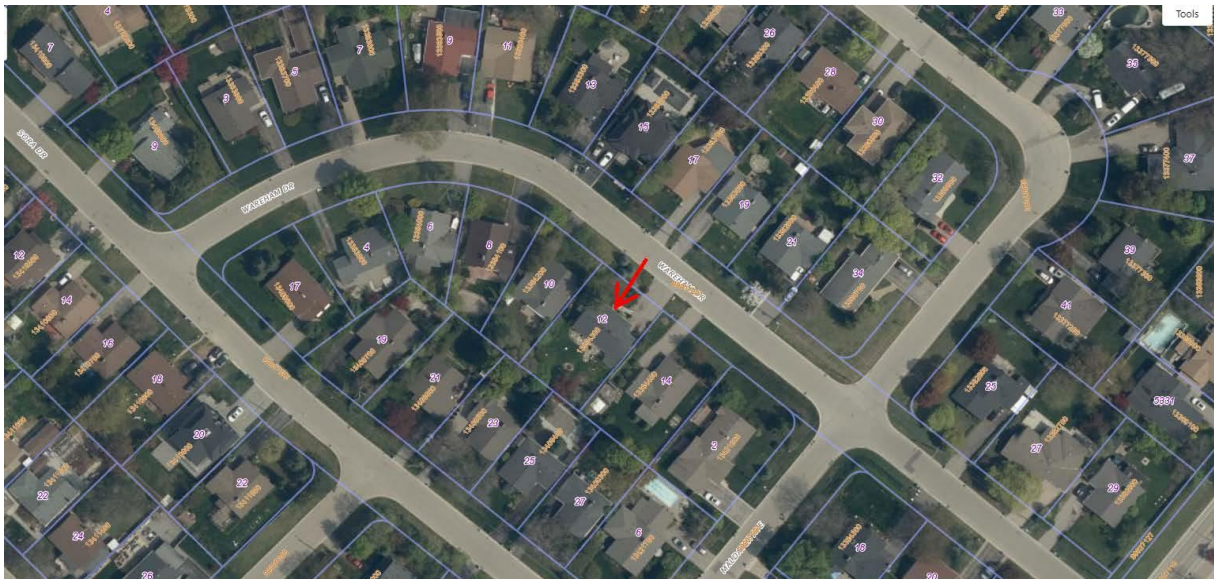
Zoning: R2-50-Residential

Other Applications:

Site and Area Context

The subject property is located north-east of the Erin Mills Parkway and Thomas Street intersection in the Streetsville Neighbourhood Character Area. It currently contains a single storey detached dwelling and has a lot area of +/- 779.93m² (8,395.09ft²). Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots. The majority of dwellings are original to the neighbourhood, however some redevelopment is present.

The applicant is proposing a new dwelling requiring variances for height, gross floor area, lot coverage and front yard setback to the porch inclusive of stairs.



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 site is located within the Streetsville Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached 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. Staff are of the opinion that the proposal represents compatible development that is in line with the planned character of the area and meets the general intent and purpose of the official plan.

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

Variance 1 relates to the height of the proposed dwelling. The intent of restricting height is to lessen the visual massing of the dwelling and to keep the dwelling within human scale. While the proposed height variance seems excessive, staff note the staggered roof levels of the dwelling and architectural features all of which help to break up the overall massing of the dwelling. The dwelling height is measured to the top of architectural decorative feature at the front of the dwelling, which also includes a small portion of the roof. The second level of the roof contains architectural features which structurally enhances the open to below area for the front foyer and stairwell area in the proposed dwelling. The height of this portion of the roof is less than the requested height variance. The third level encompasses the majority of the proposed dwelling's roof area and is measured 8.36m (27.42ft) from the average grade. Due to the topography of the subject property, the average grade is 0.46m (1.5ft) below the finished grade of the dwelling, thereby making the proposed dwelling appear shorter than requested. Staff are satisfied that the height request's impacts are negligible and minimized by the varying heights of the roof and the difference between average grade and finished grade of the subject property.

Variance 2 represents an increase in lot coverage. Staff note the revised drawings depict a lot coverage of 28.24%, which staff can support. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the proposed dwelling's lot coverage is generally in line with other new builds in the surrounding area. The dwelling represents 26.5% of lot coverage with the second floor balcony and covered porch accounting for the remaining 1.74%. Staff are satisfied that the lot coverage represents an appropriate balance between the existing and planned character of the area in this instance.

Variance 3 requests an increase in gross floor area. Staff initially had concerns with the gross floor area proposed but worked with the applicant to reduce the overall gross floor area to reflect the neighbourhood. Staff note the revised drawings depict a gross floor area of 372.38m²

(4,008.26ft²), which staff are amenable too. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. Staff note that the subject property is one of the largest in the surrounding area and can accommodate a larger dwelling. Furthermore the dwelling's gross floor area appropriately aligns with the dwellings to both the north and the south and the dwelling. The dwelling also meets all setback requirements. Staff are satisfied that the footprint and massing of the dwelling are situated appropriately for the subject property and the design of the dwelling is done in a compact manner making it appear smaller. Staff are satisfied it will not negatively impact the character of the surrounding area. Staff are therefore of the opinion that the gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

Variance 4 pertains to a reduced front yard setback to the front porch inclusive of the stairs. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff note the dwelling maintains the required 7.5m setback required by the by-law, ensuring that a consistent character is maintained along the streetscape. Staff are satisfied that the proposal maintains an appropriate front yard amenity area.

Given the above, staff are of the opinion that the application maintains the general intent and purpose of the zoning by-law.

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: Daniel Grdasic, 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 new dwelling will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 23-9930. Based on review of the information available in this 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 application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-24-090M / 12 Wareham Dr

Development Engineering: Wendy Jawdek (905)-791-7800 x6019**Comments:**

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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 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 is required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections 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 by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner