

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A324/20 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances, as amended

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. A building height measured to the underside of the eaves of 7.14m (approx. 23.42ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A side yard of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance.

Amendments

Variance #2 should be amended as follows:

A northerly side yard of 1.33m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m measured to the second storey in this instance.

Background

Property Address: 1381 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

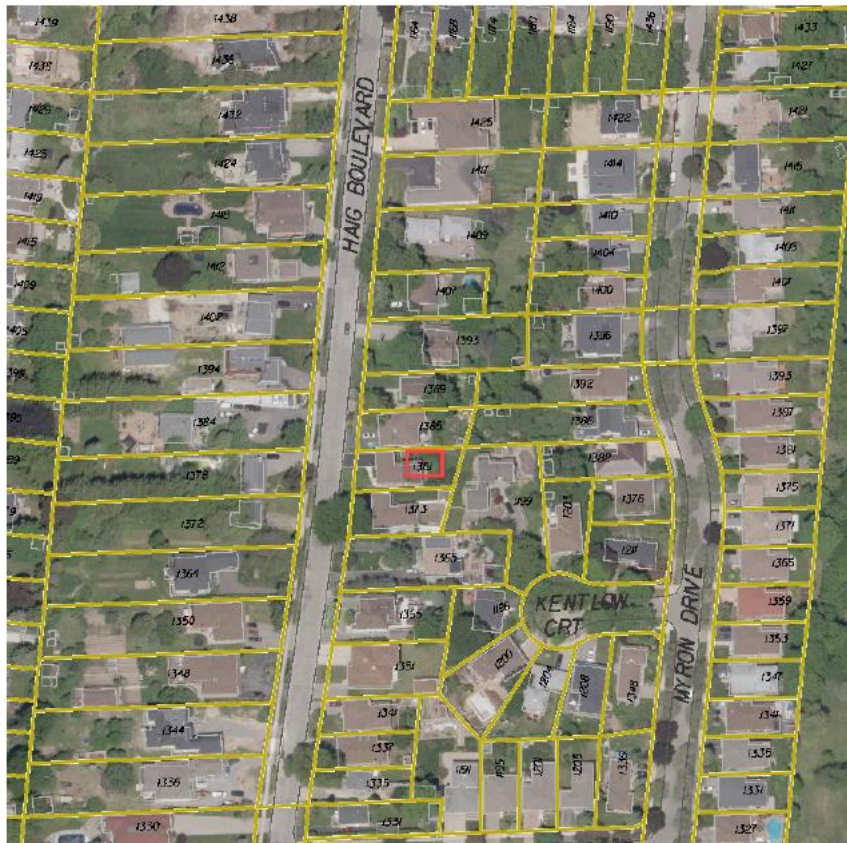
Other Applications

Building Permit: 20-2247

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of Dixie Road and South Service Road. The neighbourhood is predominately residential, consisting of one and two storey detached dwellings with little mature vegetation. The immediate area contains existing deficiencies related to interior side yards. Northeast of the subject property is Dixie Outlet mall and further east is Lakeview Golf Course. The subject property contains an existing one storey dwelling.

The application proposes a second storey addition requiring variances related to a deficient side yard and increased 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. As per Section 10.3 (Built Form Types) of the Lakeview Local Area Plan, new housing within Lakeview should maintain the existing character of the area. The proposed addition is not out of context with other two storey dwellings within the

immediate neighbourhood and will not negatively impact abutting properties as the proposed variances are compatible with the established streetscape character. 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?

Variance #1 proposes an eave height of 7.14 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roofline closer to the ground thereby lowering the overall pitch of the roof and keeping the dwelling within a human scale. The dwelling maintains an overall height of 8.68 m, less than the permitted height of 9 m thereby, mitigating any impact from the increased eave height. Furthermore, the dwelling is measured from average grade which is approximately 0.32 m below established grade. Measured from established grade, the proposed dwelling has an eave height of 6.82 m which does not add significant massing to the dwelling from what is currently permitted. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a deficient side yard width of 1.33 m whereas a minimum of 1.81 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the proposed addition maintains the existing building foundation and does not encroach further into the side yard. The deficient side yard is located on the northerly side of the dwelling while the southerly side yard exceeds by-law requirements. The immediate neighbourhood has similar existing deficiencies resulting in the proposal maintaining the existing context of the area. Staff is 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 subject property maintains the context of the surrounding neighbourhood and preserves the existing character of the streetscape as the proposed addition is not out of context with newer two storey dwellings already constructed. The increased eave height is partially due to the difference between average and established grade. From a streetscape perspective, the increased eave height will have minimal impact from what the by-law permits. Regarding the deficient interior side yard, the dwelling maintains the existing building footprint which has an existing deficiency. The proposed addition does not encroach further into the northerly side yard, minimizing the overall massing of the second storey. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended

Comments Prepared by: Lucas Petricca, 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 addition will be addressed by the Development Construction Section through the current Building Permit application process, BP 9ALT-20/2247.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2247. Based on review of the information currently available for this building permit, we advise that the following variances should be amended as follows:

A northerly side yard of 1.33m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m measured to the second storey in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner