

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A332/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City has no objections to the requested variance.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing a height measured to the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1468 Elaine Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 (Residential)

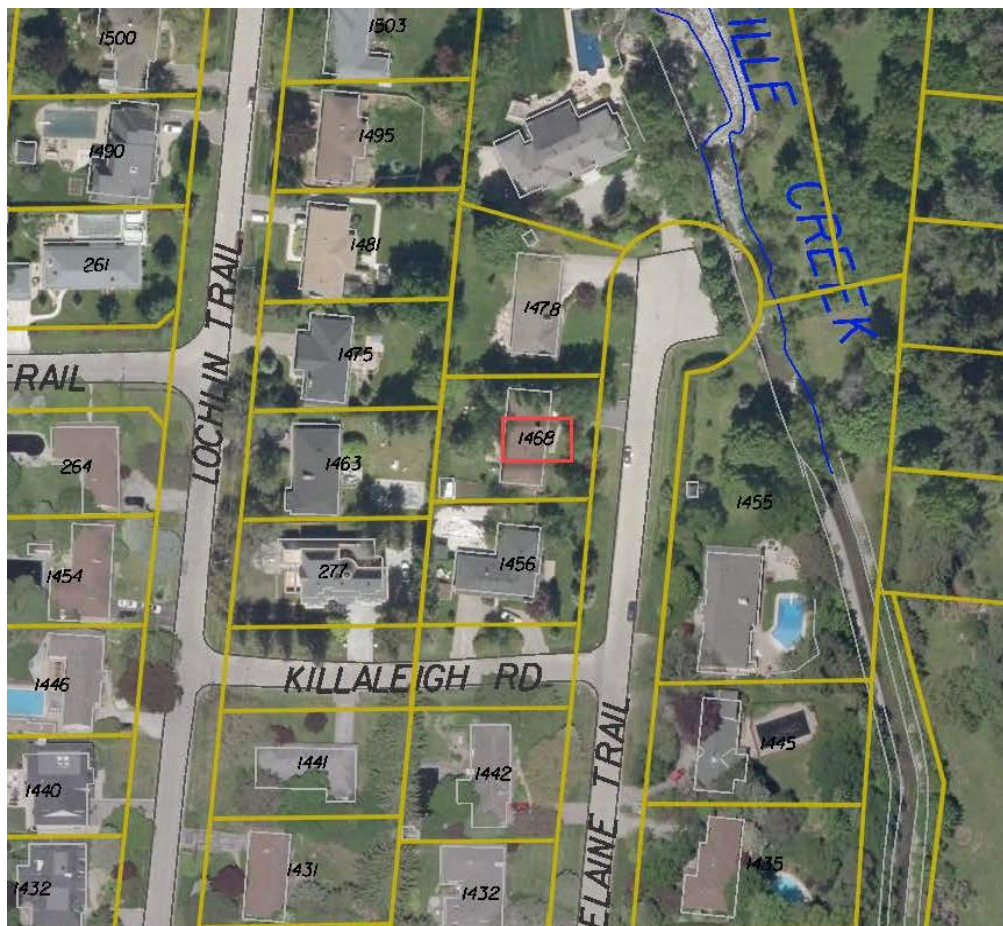
Other Applications

Site Plan Application: 20-37

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, east of Hurontario Street and Pinewood Trail. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation. The immediate neighbourhood is within the flood plain and lots on the east side of Elaine Trail are traversed by Cooksville Creek. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring a variance for an 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. Section 16.18.1 of the infill regulations for the Mineola neighbourhood states, new housing is encouraged to fit the scale and character of the surrounding area. The increased eave height is partially due to the difference between average and established grade. The proposed dwelling is similar to newer two storey dwellings within the surrounding area, maintaining the overall character of the neighbourhood. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

The application proposes an eave height of 7.65 m whereas 6.40 m is permitted. The intent of restricting eaves height is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, lowering the overall pitch of the roof, thereby keeping the dwelling within a human scale. The eave height is measured to average grade which is approximately 0.43 m below the established grade which increases the variance. Furthermore, due to the area being located within a flood zone, CVC has requested that the dwelling be located 2 m above established grade, increasing the eave height. The dwelling maintains an overall building height of 9.50 m, consistent with the height regulations outlined in the zoning by-law, which mitigates any further impact from the increased eave height. 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 proposed dwelling is similar to the newer two storey dwellings in the surrounding area, preserving the character of the neighbourhood. The increased eave height is partially due to the height being measured to average grade which is approximately 0.43 m below the established grade. Furthermore, due to the flood zone, the first floor is required to be approximately 2 m above average grade, thereby increasing the eave height. It is important to note the dwelling maintains the overall dwelling height permitted within the by-law, which lessens the visual massing of the dwelling. 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 variance.

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 dwelling are being addressed through the Site Plan Application process, File SPI-20/037.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 20/37. Based on review of the information currently available for this application, the variances, as requested are correct.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 4 – Heritage

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that the majority of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner