

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-11-04 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A346/20 Ward: 2
	Meeting date: 2020-11-12

## Consolidated Recommendation

The City has no objections to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance for the construction of a new house proposing:

1. A height of an accessory structure of 4.54m (approx. 14.90ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance; and
2. A building height measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 1346 Lakeshore Road West

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

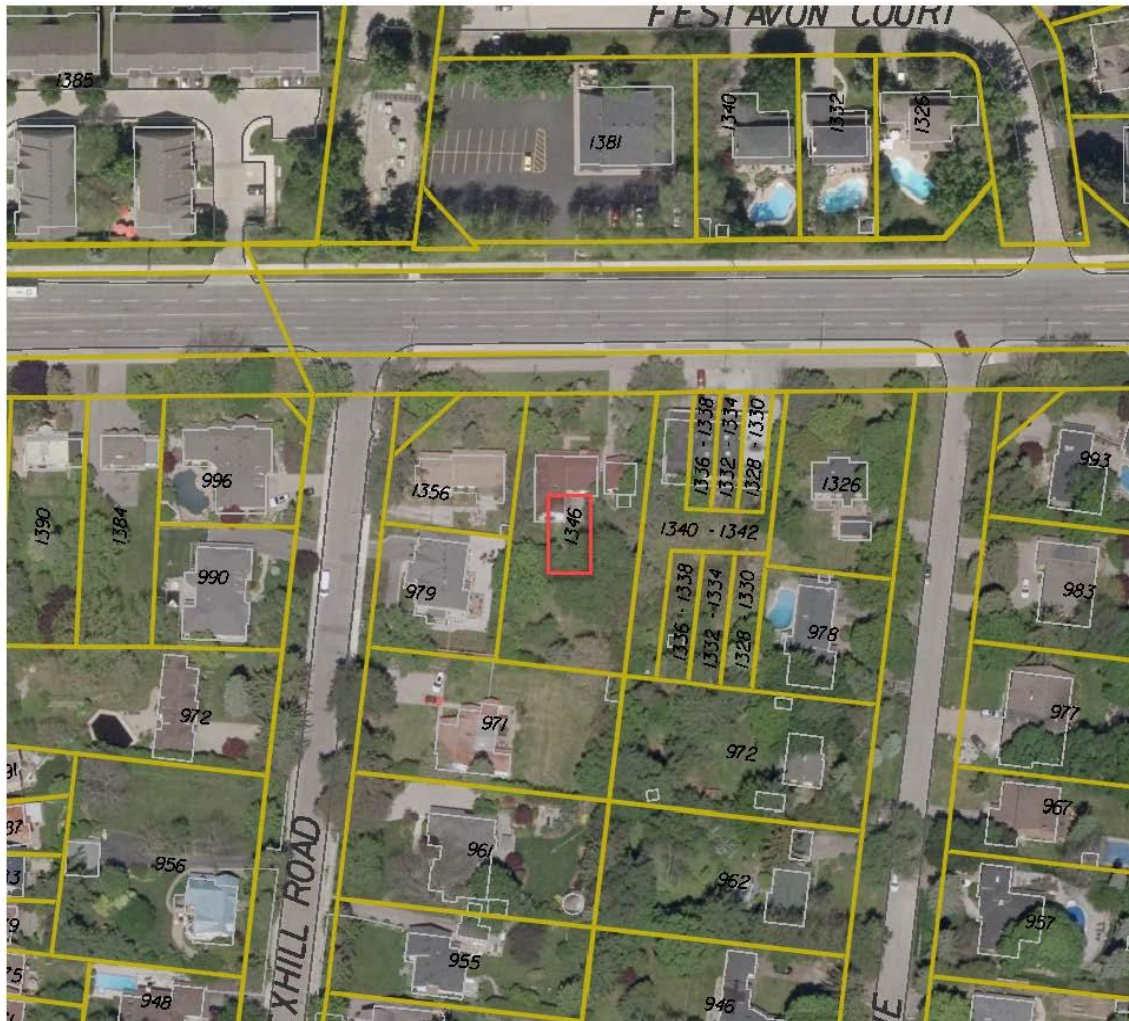
**Zoning:** R2-5 (Residential)

**Other Applications:**

Site Plan Application: 20-20

**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, west of Lakeshore Road West and Lorne Park Road. The neighbourhood is predominantly residential consisting of detached and townhouse dwellings. The immediate area also contains office, institutional and place of religious assembly uses. The subject property contains an existing one storey dwelling with significant mature vegetation throughout the lot. The application proposes a new two storey dwelling and accessory structure, requiring a variance for excessive height to the eaves and accessory structure 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. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the

surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole, maintaining the existing and planned character of the neighbourhood. 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 accessory structure height of 4.52 m whereas a maximum of 3.50 m is permitted. The intent of the zoning by-law is to ensure that the structures are proportional to the lot and are accessory to the dwelling while not presenting any massing concerns to neighbouring lots. In this instance, the proposed structure maintains a setback of 6.74 m to the neighbouring property, significantly greater than the 1.20 m required within the by-law, minimizing any massing concerns. There is also significant mature vegetation surrounding the property provides screening effects, which further mitigates any massing concerns that the increased accessory structure height may have. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an increased eave height of 7.21 m whereas a maximum of 6.40 m is permitted. The intent of the zoning by-law is to lessen the visual massing of the structure by bringing the edge of the roof closer to the ground, thereby keeping the dwelling within a human scale. The proposed eave height is measured to average grade which is 0.30 m below established grade. If the dwelling was measured to established grade, the eave height would be 6.90 m. The proposed dwelling contains a staggered front façade, breaking up the overall massing of the dwelling and reducing the overall impact of the increased height. Furthermore, the overall dwelling height maintains the maximum permitted height within the by-law. 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 contains features that break up the first and second storey, lessening the overall massing of the dwelling. Furthermore, the overall dwelling height maintains the maximum permitted height of 9.50 m, mitigating the impact on the streetscape character. Regarding the accessory structure, the proposed setback combined with the mature vegetation surrounding the property minimizes any potential impact to the abutting property. 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. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure additional variances are not required.

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-20/020.

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 20/20. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 12<sup>th</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Minor Variance Applications:** DEF-A-261/20, A-346/20, A-347/20, A-353/20, A-354/20, A-357/20, A-360/20, A-363/20, A-364/20, A-365/20, A-367/20, A-368/20, A-370/20, A-372/20

Comments Prepared by: Diana Guida, Junior Planner