

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-25	File(s): A397/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-12-03

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the applications to submit a permit application and verify the accuracy of the variances.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A gross floor area of 682.72sq.m (approx. 7,348.74sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 630.96sq.m (approx. 6,791.60sq.ft) in this instance;
2. A height measured to the eaves of 7.26m (approx. 23.82ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
3. A combined width of side yards of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.44m (approx. 24.41ft) in this instance; and
4. Two kitchens whereas By-law 0225-2007, as amended, permits a maximum of one kitchen in this instance.

Background

Property Address: 1447 Woodeden Drive

Mississauga Official Plan

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

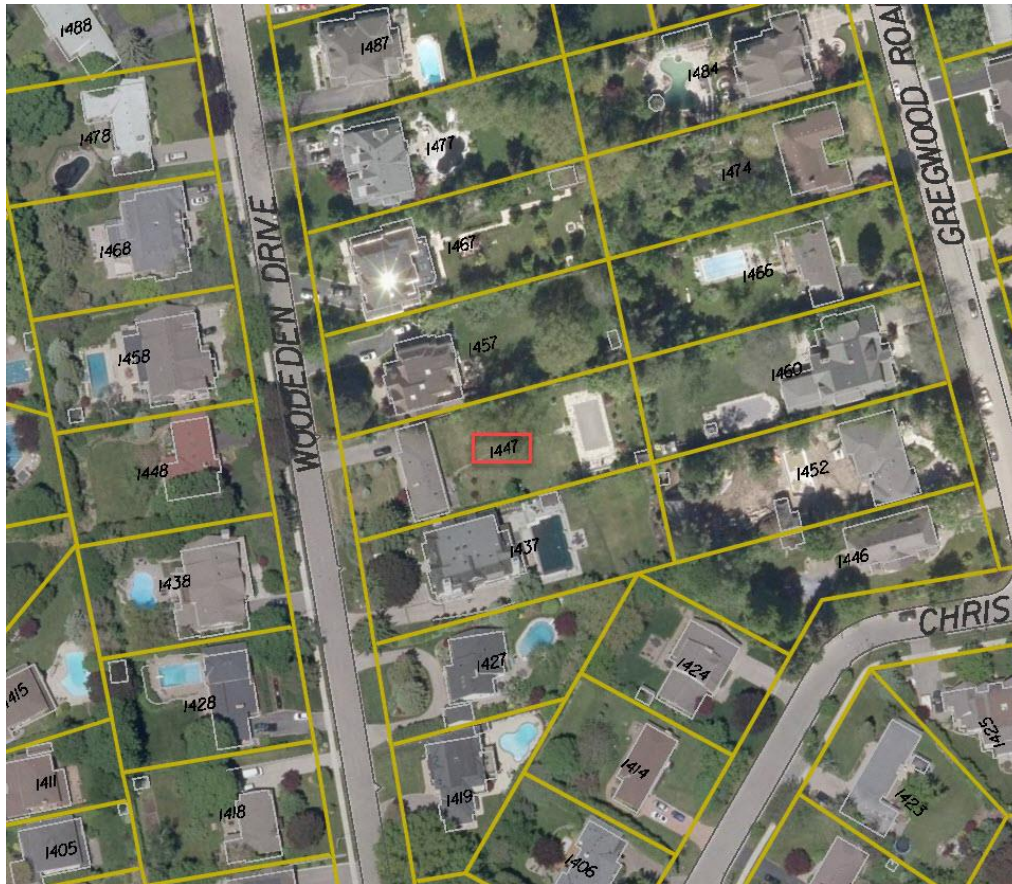
Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, north of Indian Road and Woodeden Drive. The neighbourhood is entirely residential, consisting of large lots with one and newer two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with little mature vegetation.

The applicant is proposing a new two storey dwelling, requesting variances related to gross floor area, eave height, combined side yard width and number of kitchens.

**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?

The application proposes a gross floor area of 682.72 m² whereas a maximum of 630.96 m² is permitted and an eave height of 7.26 m whereas a maximum of 6.40 m is permitted. The intent of the infill regulations regarding gross floor area and height is to maintain compatibility between existing and new dwellings. The regulations also lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby giving the dwelling a more human scale. In this instance, the dwelling maintains the overall height permitted within the by-law. The increased eave height is partially due to the difference between average and established grade which is approximately 0.50 m. If the dwelling was measured from established grade, the overall height would be under what the by-law permits and there would be an eave height of approximately 6.76 m. This represents a minor deviation from what is permitted and would not have significant impacts to the character of the streetscape. The dwelling contains architectural features that break up the first and second storey of the dwelling, minimizing its overall massing. Furthermore, the proposed dwelling is not out of context with the newer two storey dwellings thereby, maintaining compatibility with the existing and planned character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 and 4 propose a deficient combined side yard width and an increase in the number of kitchens. It should be noted that if a second unit is proposed, a variance related to the number of kitchens is not required. Regarding the deficient combined side yard width, the variance does not pose any unacceptable adverse impact from what the by-law requires. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The increased gross floor area and increased eave height maintains compatibility with newer two storey dwellings within the immediate area and does not negatively impact the existing streetscape. Additionally, the architectural design of the proposed dwelling breaks up the first and second storey of the dwelling thereby, reducing its overall massing. Furthermore, the increased eave height is partially due to the dwelling being measured to average grade which is approximately 0.50 m below the established grade, which limits the impact to neighbouring properties and is consistent with the existing and planned context of the neighbourhood. 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. The applicant may choose to defer the applications to submit a permit application and verify the accuracy of the variances.

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 will be addressed through the future Site Plan approval process.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variances or determine whether additional variances may 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 December 3rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-328/20

Minor Variance Applications: A-351/20, A-359/20, A-376/20, A-383/20, A-390/20, A-392/20, A-397/20

Comments Prepared by: Diana Guida, Junior Planner