

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-18	File(s): A380/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-26

Consolidated Recommendation

The City has no objections to the requested variances.

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:

1. A gross floor area of 406.45sq.m (approx. 4,374.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 377.20sq.m (approx. 4,060.15sq.ft) in this instance;
2. A height measured to the ridge of 10.65m (approx. 34.94ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.16ft) in this instance;
3. A height measured to the eaves of 7.35m (approx. 24.11ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance;
4. An exterior side yard of 6.81m (approx. 22.34ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;
5. A dwelling depth of 20.57m (approx. 67.49ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
6. A front yard measured to a window well of 6.28m (approx. 20.60ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a window well of 6.89m (approx. 22.60ft) in this instance.

Background

Property Address: 1616 Brasswood Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

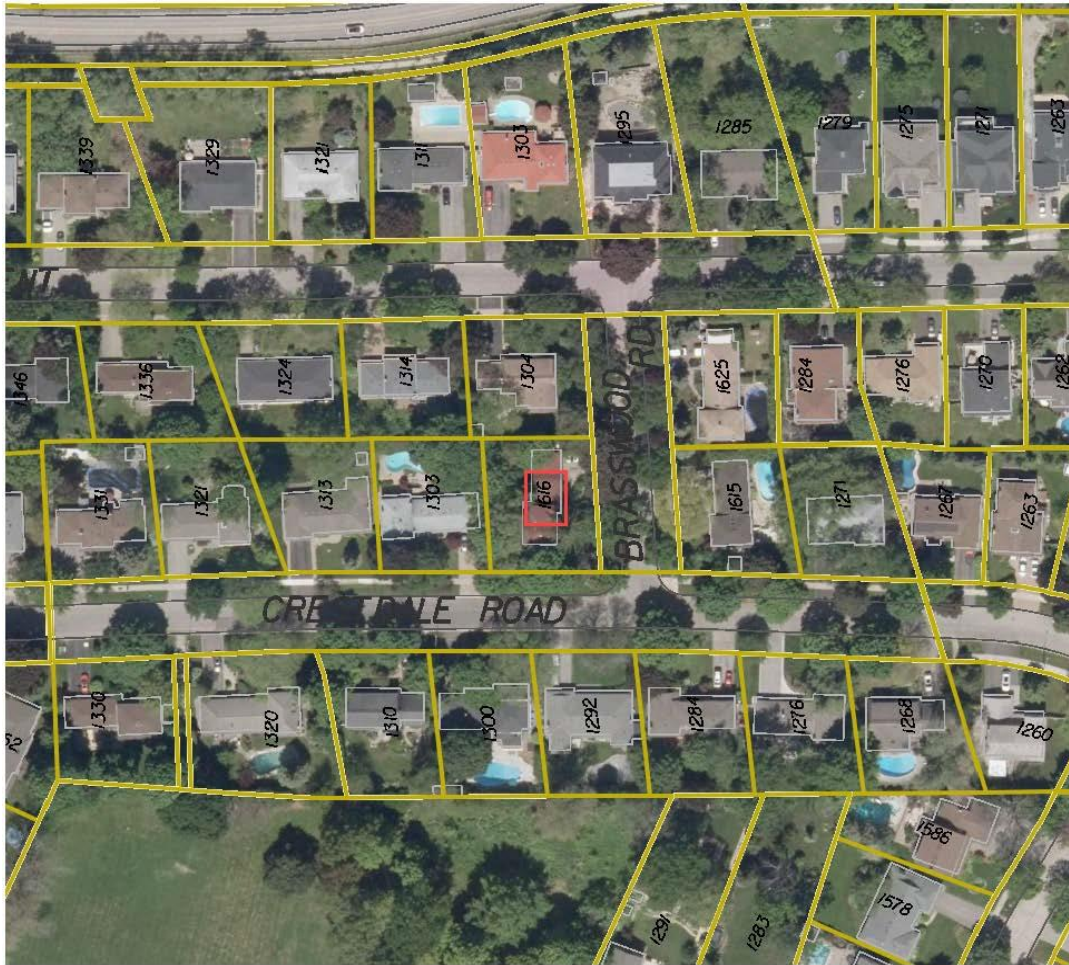
Zoning: R2-4 (Residential)

Other Applications

Site Plan Application: 20-89

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and South Sheridan Way. The immediate neighbourhood is entirely residential consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation throughout the lot. The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, height, exterior side and front yard setback, and dwelling depth.



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 406.45 m² whereas a maximum of 377.20 m² is permitted. Variance #2 and 3 also propose an overall height of 10.65 m and an eave height of 7.35 m whereas a maximum dwelling height of 9.50 m is permitted with a maximum eave height of 6.40 m. 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, height is measured from average grade which is approximately 1.20 m below the established grade. If the dwelling was measured from established grade, the proposed heights would be within by-law regulations and mitigating any impact to the streetscape. Furthermore, the massing of the dwelling is architecturally broken up with a variety of sloped rooflines and the limiting height of the garage, all of which reduces the overall massing and impacts to abutting properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #4 and 6 propose deficient front yard and exterior side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and the public realm as well as ensuring a consistent streetscape is maintained. In this instance, the deficient front yard setback is measured to a window well while the main façade of the dwelling maintains the permitted 7.50 m front yard setback. The window well is located at grade and does not pose any negative massing impacts to the street. The exterior side yard setback is measured to the narrowest point between the lot line and dwelling on the northerly portion of the dwelling. The southerly portion of the dwelling maintains a setback of 8.13 m, exceeding by-law requirements. The proposed variance does not negatively impact the streetscape character as it accounts for a minor portion of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes a dwelling depth of 20.57 m whereas a maximum of 20 m is permitted. As the front yard is considered the shortest lot line abutting a street, the dwelling depth takes into account the entire length of the dwelling facing the street. In this case, if the exterior side yard was considered the front yard, which is how the property is being developed, there would be no variance required for dwelling depth. The proposed variance is technical in nature and is a minor deviation from the zoning by-law which will not result in any additional undue impact. As such, staff is of the opinion that this variance is 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 proposed dwelling maintains the existing character of the neighbourhood and is similar to newer two storey dwellings. The increased gross floor area would be a minor deviation from the zoning by-law and would not have significant impacts to the existing streetscape character. Additionally, the dwelling is broken up architecturally with a staggered front façade, thereby minimizing the overall massing of the dwelling. The increased heights are due to the difference between average and established grades. If the height of the dwelling was measured from established grade, the height provisions of the by-law would be maintained, mitigating any potential impact to the streetscape. 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.

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 SP-20/089.



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 20-89. Based on review of the information currently available for this application, the variances, as requested are correct.

Comments Prepared by: Brian Bonner, Zoning Examiner

City of Mississauga

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Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner