

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-13	File(s): A375.20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-21

Consolidated Recommendation

The City has no objections to the requested variances. 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 to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 42.61% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% of the lot area in this instance;
2. A height of 10.08m (approx. 33.07ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.16ft) in this instance; and
3. A height measured to the eaves of 7.64m (approx. 25.07ft) 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: 880 Seventh Street

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

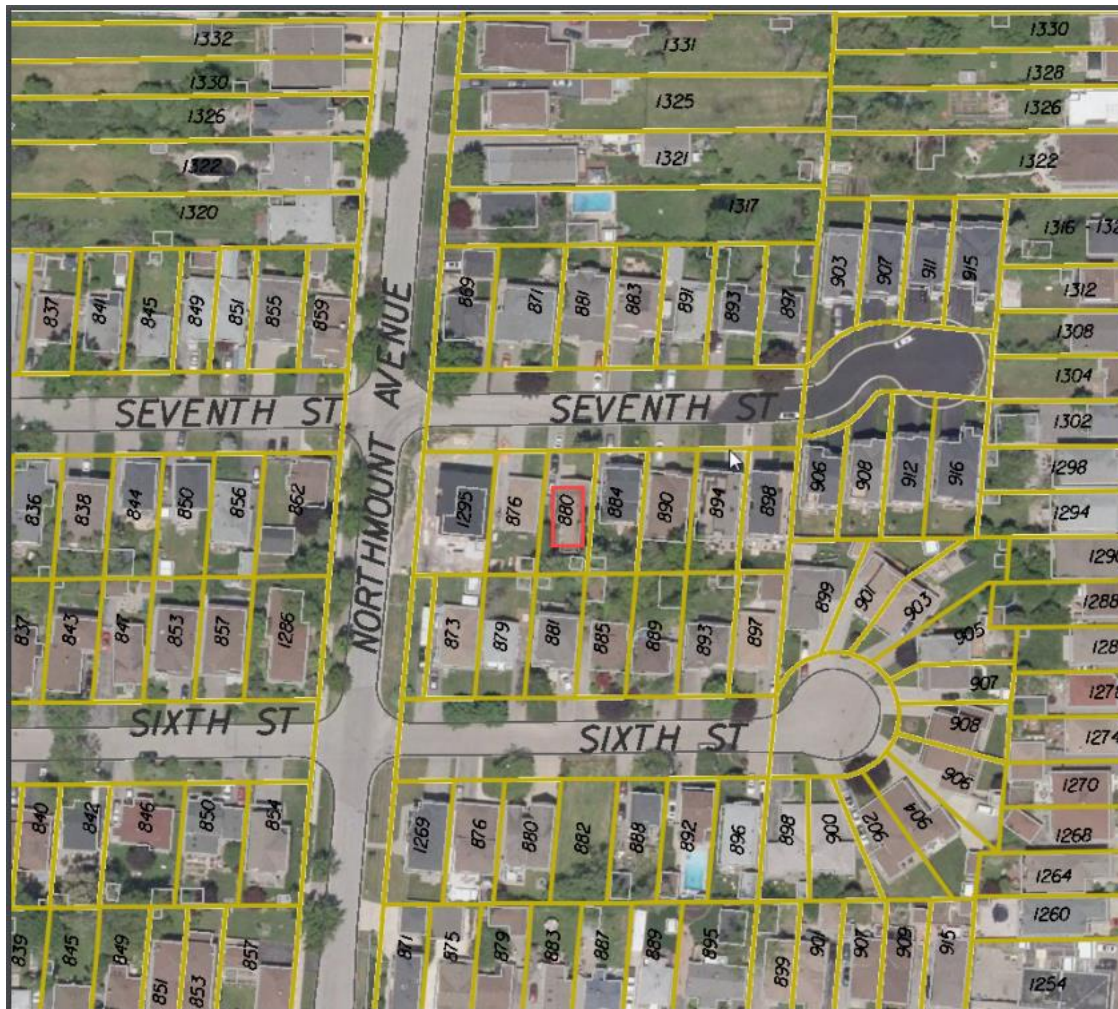
Zoning: RM1-26 (Residential)

Other Applications

Preliminary Zoning Review: 20-2819

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Cawthra Road and Atwater Avenue. The neighbourhood is predominantly residential consisting of one storey and newer two storey detached and semi-detached dwellings. Council approved zoning application (OZ 13/012) on April 15th, 2015 which proposed to extend Seventh Street to allow for 8 new detached dwellings. It should be noted that these dwellings are zoned R5-48 (Residential) which is different than the surrounding area. The R5-48 zone allows for greater dwelling heights for sloped roof dwellings. The subject property contains an existing single storey detached dwelling with mature vegetation.



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. The subject property is within the Orchard Heights boundary of the Central Residential Neighbourhood Precinct. As per Section 10.3 (Built Form) of the Lakeview Local Area Plan, new housing should maintain the existing character of the area. The scale of the proposal is consistent with other two storey dwellings in the neighbourhood. The proposed variances respect the designated land use, and have regard for the distribution of massing on the property as a whole. 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 a lot coverage of 42.61% whereas a maximum of 40% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the covered porch which makes up approximately 2% of the lot coverage. The proposed covered porch is open on all sides thereby reducing the massing and any negative impact to abutting lots. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2 and 3 proposes an increase to the overall and eave dwelling height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof, thereby bringing the edge of the roof closer to the ground and keeping the dwelling within a human scale. In this instance, the difference between average grade and established grade is approximately 0.55 m. If the dwelling was measured from established grade, the overall height of the dwelling would be 9.53 m within an eave height of 7.09 m reducing the visual massing of the dwelling from the streetscape. The overall height of the dwelling is generally consistent with the permitted height within the zoning by-law, mitigating any further impact from the increased eave height. The proposed eave height mitigates the overall pitch of the roof, thus maintaining a human scale. Furthermore, the dwelling contains features breaking up the first and second storey, reducing the overall massing of the dwelling. 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 compatible with the newer two storey detached dwellings in the area and does not negatively impact the streetscape character. The proposed heights are partially due to a difference between average and established grade. The overall height of the dwelling generally complies with the maximum permitted height of 9.50 m measured from established grade, minimizing the overall massing of the dwelling. Additionally, the dwelling contains architectural features breaking up the massing of the dwelling, limiting the impact to neighbouring properties. 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.

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 Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file 20-2819. Based on review of the information currently available in this permit application, the variance #1 is correct. More information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

Our comments are based on the plans received by zoning staff on 2020/08/25 for the above captioned Preliminary Zoning Review application. Please note, should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

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