

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A3.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## 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 lot coverage of 32.75% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 340.22sq.m (approx. 3,758.94sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 269.61sq.m (approx. 2,902.06sq.ft) in this instance; and
3. A height measured to the eaves of 6.60m (approx. 21.65ft) 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:** 3102 Bonaventure Dr

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning: R3-69 - Residential**

**Other Applications: None**

### **Site and Area Context**

The property is located south-east of the Steeles Ave. East and Airport Road intersection. It is an interior parcel, with a lot area of approximately +/- 6,451.0m<sup>2</sup> and a lot frontage of approximately +/- 15.7m. Currently the property houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached homes mixed within newer two storey detached dwellings. Within the immediate area, properties possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling, requiring variances related to eave height, gross floor area and lot coverage.



## 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*.

"[Enter info here]"

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 II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use and maintains the general intent and purpose of the MOP.

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

Variance #1 and #2 as requested pertain to lot coverage and gross floor area. Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City undertook the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although Bonaventure Drive contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on January 14, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred it for a redesign. The redesign currently proposed by the applicant has reduced both the lot coverage and gross floor area. Staff are of the opinion that the new design is inline with the Malton Infill Housing Study of 2016; and is compatible with both the existing and infill development of the neighbourhood. As such, the applicant meets the general intent and purpose of the by-law.

Variance #3 as requested pertains to eave height:

The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This lowers the overall pitch of the roof and keeps the height of the dwelling within a human scale. The dwelling maintains an overall height of 6.60 m, whereas 6.40m is permitted under the by-law. The proposed height is a minor

deviation from the by-law and does not affect the overall pitch of the roof, maintaining a human scale. As such, variance #3 meets the general intent and purpose of the by-law.

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

While the relief sought represents a deviation from what is contemplated through the Zoning By-law. Staff note, the applicant has redesigned their original proposal resulting in both the orderly development of the lands, and whose impacts are minor in nature.

## **Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, 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 new dwelling will be addressed through the Building Permit process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### 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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner