

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A23.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 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 applicant requests the Committee to allow the construction of a new dwelling proposing:

1. A lot coverage of 32.03% (185.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 369.20sq.m (approx. 3974.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A rectangular garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 5.79m (approx. 19.69ft x 19.00ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note variance #5 should be amended as follows:

- A rectangular garage area of 5.84m x 5.38m whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m in this instance.

Background

Property Address: 7480 Homeside Gardens

Mississauga Official Plan

Character Area: Malton Neighbourhood Character Area
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Redstone Rd. and Homeside Gardens intersection. The subject property is an interior parcel, with a lot area of +/- 580.35m² and a lot frontage of +/- 15.24m. The property currently houses a two-storey, detached dwelling and possesses minimal vegetation/ landscape elements in the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached dwellings mixed with newer two storey detached dwellings. The properties within the immediate area 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 that requires variances for lot coverage, gross floor area, building height and garage size.

completed 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. While the surrounding area contains 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 28, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred it for a redesign. The redesign 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 and #4 as requested pertains to building and eave height:

The intent of restricting height of the building and the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This maintains the overall pitch of the roof and keeps the height of the dwelling within a human scale. The dwelling maintains an overall height of 9.32m, whereas 9.00m is the maximum permitted as well as an eave height of 6.93m whereas 6.40m is the maximum permitted under the by-law. The proposed increases are a minor deviation from what is permitted under the by-law. The proposed does not affect the overall pitch of the roof and maintains the human scale. As such, variance #3 and #4 meet the general intent and purpose of the by-law.

Variance #5 as requested pertains to garage area:

The intent of the zoning by-law is to ensure that the garage is proportional to the lot and dwelling. In this instance, the proposed garage of 5.84m x 5.38m is attached to the primary dwelling, similar to other properties in the immediate vicinity. Additionally the proposed increase in size will be compatible with adjacent properties. Finally, the proposed variance is not a significant deviation from what the bylaw currently permits. Any reduction of the garage area would result in a similar structural massing on the property. As such, 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?

While the relief sought represent's a deviation from what is contemplated through the Zoning By-law the proposed is consistent with the gentle infill of the neighbourhood. Staff note, the applicant has redesigned their original proposal resulting in the orderly development of the lands, 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 proposed new dwelling will be addressed through the Building Permit Application process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The 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 variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, 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