

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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| Date Finalized: 2021-05-27                | File(s): A201.21                   |
| To: Committee of Adjustment               |                                    |
| From: Committee of Adjustment Coordinator | Meeting date:2021-06-03<br>3:00 PM |

## Consolidated Recommendation

The City has no objection to the variances, as requested.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 349.22sq.m (approx. 3758.97sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 269.61sq.m (approx. 2902.06sq.ft) in this instance;
2. A lot coverage of 32.75% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A building height measured to the eaves of 6.60m (approx. 21.65ft) 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; and
4. A garage projection from the front wall of the dwelling of 3.86m (approx. 12.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection from the front wall of the dwelling of 2.00m (approx. 6.56ft) in this instance.

## Background

**Property Address:** 3102 Bonaventure Drive

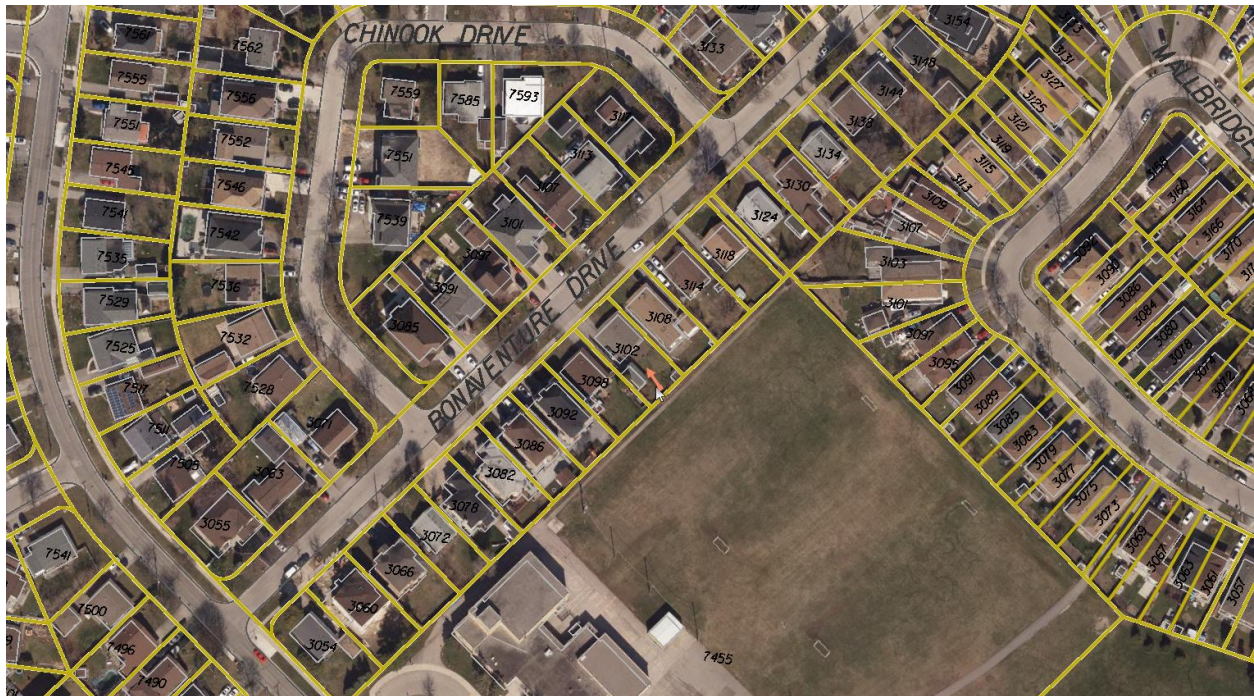
### Mississauga Official Plan

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 +/- 599.31m<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, lot coverage and garage projection.



## 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 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 as requested was previously brought to the March 11<sup>th</sup> 2021 committee hearing however the applicant requested a variance of 340.22m<sup>2</sup> in error whereas the drawings provided indicated 349.22m<sup>2</sup>. Through correspondence with the Applicant on January 27, 2021, the gross floor area of 349.22m<sup>2</sup> was agreed upon. Staff are of the opinion that variance #1 is simply a correction and have no planning related concerns.

Variance #2 and #3 as requested were previously brought to the March 11<sup>th</sup> 2021 committee hearing and were approved.

Variance #4 as requested pertains to a garage projection:

The applicant has identified an additional variance that pertains to a garage projection of 3.86m whereas the by-law permits 2.00m in this instance. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. The proposed deficiency is marginal in nature and does not project any farther than the existing covered porch minimizing the increase. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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

The proposed variances #1- #3 have been brought before committee and present no concerns of a planning nature. The additional variance requested for the garage projection will not impact

the character of the streetscape. As such, the proposal represents the orderly development of the lands and is 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.

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 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9NEW 21-5667. From a review of this application it appears the applicant has reapplied for identical variances approved under A3/21 for lot coverage and eave height. The current application contains new variances for an increase in gross floor area – infill residential and garage projection. Additional information has been requested pursuant to the building permit application to verify the accuracy of the request or determine if additional variances are required.

Our comments are based on the plans received by Zoning staff on 2021-03-04 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the preliminary zoning review process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the preliminary zoning review process in order to receive updated comments.

Comments Prepared by: Brian Bonner, 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 contact Servicing Connections.

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner