

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-09	File(s): A203.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-17 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 approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 338.95sq.m (approx. 3648.43sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.12sq.m (approx. 2864.49sq.ft) in this instance;
2. A lot coverage of 32.55% 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 2.59m (approx. 8.50ft) 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: 7486 Redstone Road

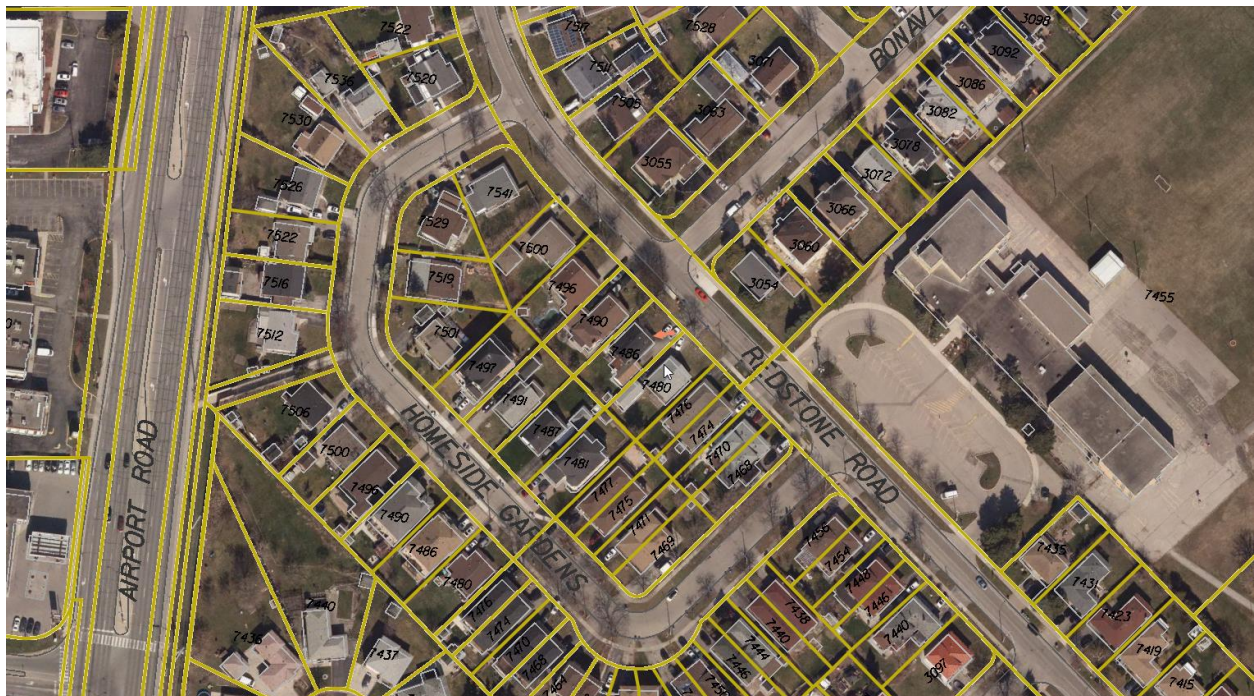
Mississauga Official Plan

Character Area: Malton NHD
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 north-east of the Morning Star Dr and Airport Rd intersection, and currently houses a one-storey, detached dwelling with mature vegetation and landscape elements in the front yard. The subject property is an interior parcel, with a lot area of approximately +/- 580.58 m² and a lot frontage of approximately +/- 15.24m. Contextually, the surrounding neighbourhood is eclectic in nature, with a mix of newer and older detached and semi-detached dwellings. The properties within the immediate area possess lot frontages of +/- 16.08m, with mature vegetative / natural landscaped elements within the front yards.

The proposed new dwelling requires variances for gross floor area, lot coverage, building height 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 site is located within the Malton Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. 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 residential dwelling is permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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 (directly north of the property) and Redstone Road 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. Staff are of the opinion that the 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 6.60m, 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 desired human scale. As such, variance #3 meets the general intent and purpose of the by-law.

Variance #4 as requested pertains to a garage projection:

The applicant is seeking an additional variance that pertains to a garage projection of 2.59m 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, thereby 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. Furthermore, the garage projection is inline with newer garages in the neighbourhood and is reflective of the community.

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

Variances #1 and #2 are inline with the Malton Infill Housing Study of 2016; and are compatible with both the existing and infill development of the neighbourhood. Variance #3 represents a minor deviation from the zoning by-law and presents no concerns of a planning nature. Finally, variance #4 requested for the increased garage projection will not negatively 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, Planning Associate

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 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: Daniel Grdasic, Planning Associate

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.

Comments Prepared by: Diana Guida, Junior Planner