

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A291.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred.

## 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 216.91sq.m (approx. 2334.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.32sq.m (approx. 1876.36sq.ft) in this instance; and
2. A lot coverage of 32.67% (121.40sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.48sq.m) in this instance.

## Background

**Property Address:** 3064 Churchill Avenue

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4 - Residential

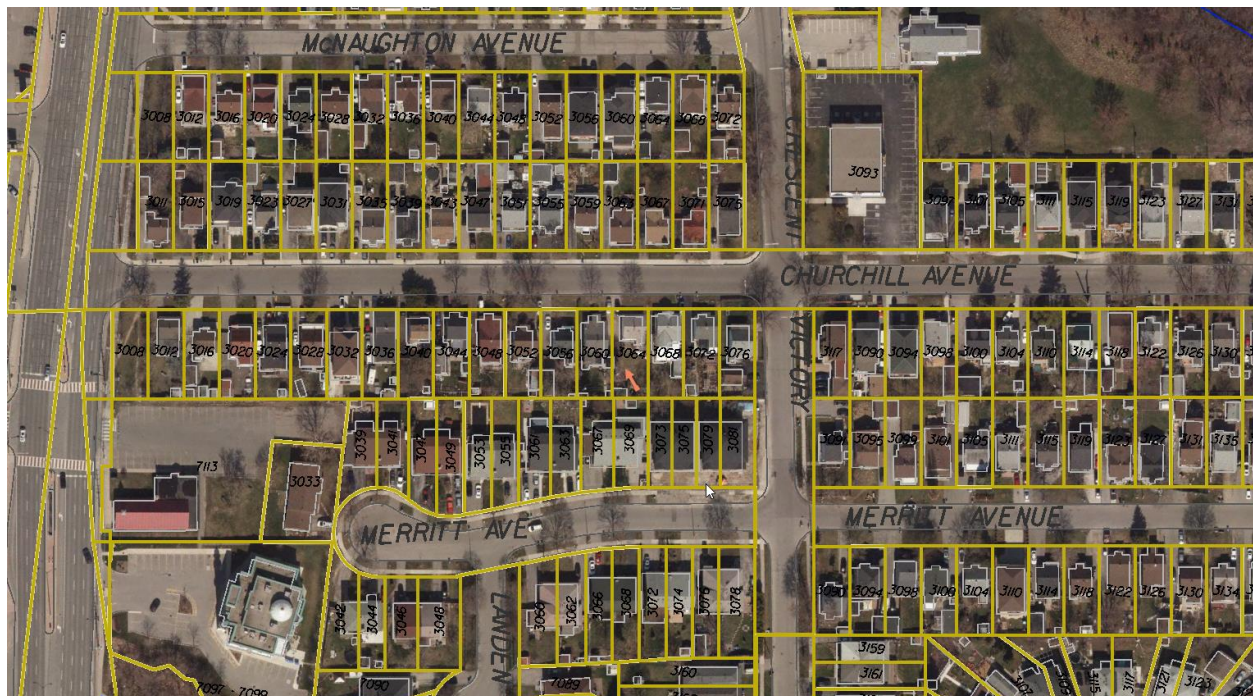
**Other Applications:** BP 9NEW 17-5910

### Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection, in the Malton Neighbourhood Character Area. This portion of Churchill Avenue contains only detached dwellings, however semi-detached dwellings are present in the nearby vicinity and

commercial uses are present along Airport Road. The vast majority of dwellings along this portion of Churchill Avenue are the original one and two storey dwellings that were built in the area when it was originally developed. Limited mature vegetation exists on the subject and surrounding properties.

The applicant is proposing to construct a new dwelling on the property requiring variances for 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*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation only permits detached, semi-detached and duplex dwellings. Section 9 of the 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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City 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. 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 proposes an increase in gross floor area and coverage that is not consistent with the neighbourhood and does not maintain the intent of the infill regulations. These variances will create a dwelling with significant massing resulting in cumulative impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

## Conclusion

The Planning and Building Department recommends that the application be deferred to allow the applicant to redesign the dwelling.

Comments Prepared by: Alexander Davies, 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 currently processing a building permit application under file BP 9NEW 17-5910. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 10/25/2017 for the above captioned building permit 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 site plan approval 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 site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

---

**Appendix 5 – Region of Peel Comments**

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: Camila Marczuk (905) 791-7800 x8230