

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A352.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the dwelling to reduce the gross floor area and lot coverage.

Application Details

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

1. A lot coverage of 40.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 389.68sq.m (approx. 4194.48sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 261.42sq.m (approx. 2813.90sq.ft) in this instance;
3. A building height measured to the highest ridge of 9.25m (approx. 30.35ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.52ft) in this instance; and
4. A building height measured to the eaves of 7.04m (approx. 23.10ft) 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.

Background

Property Address: 7086 Harwick Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R3-69 - Residential****Other Applications:** PREAPP 21-5931**Site and Area Context**

The subject property is located near the Morning Star Drive overpass of Highway 427, in the Malton Neighbourhood Character Area. Harwick Drive contains both detached and semi-detached dwellings with limited mature vegetation. The subject property contains a detached dwelling with mature vegetation in both the front and rear yards. It has a lot frontage of +/- 15.24m and a lot area of +/- 557.10m².

The applicant is proposing to construct a new dwelling requiring variances for gross floor area, lot coverage, and height.



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. The designation 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 increases in gross floor area and lot coverage that are not consistent with the neighbourhood and do not maintain the intent of the infill regulations. These variances will create a dwelling with significant massing with 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.

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 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 a building permit under file PREAPP 21-5931. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner