

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2021-09-01 | File(s): A188.21 Ward 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-09-09 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A gross floor area of 332.2sq.m (approx. 3575.89ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 275.41sq.m (approx. 2964.49sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.24m (approx. 30.31ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
3. A building height measured to eaves of 6.59m (approx. 21.62ft) 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: 3091 Bonaventure Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

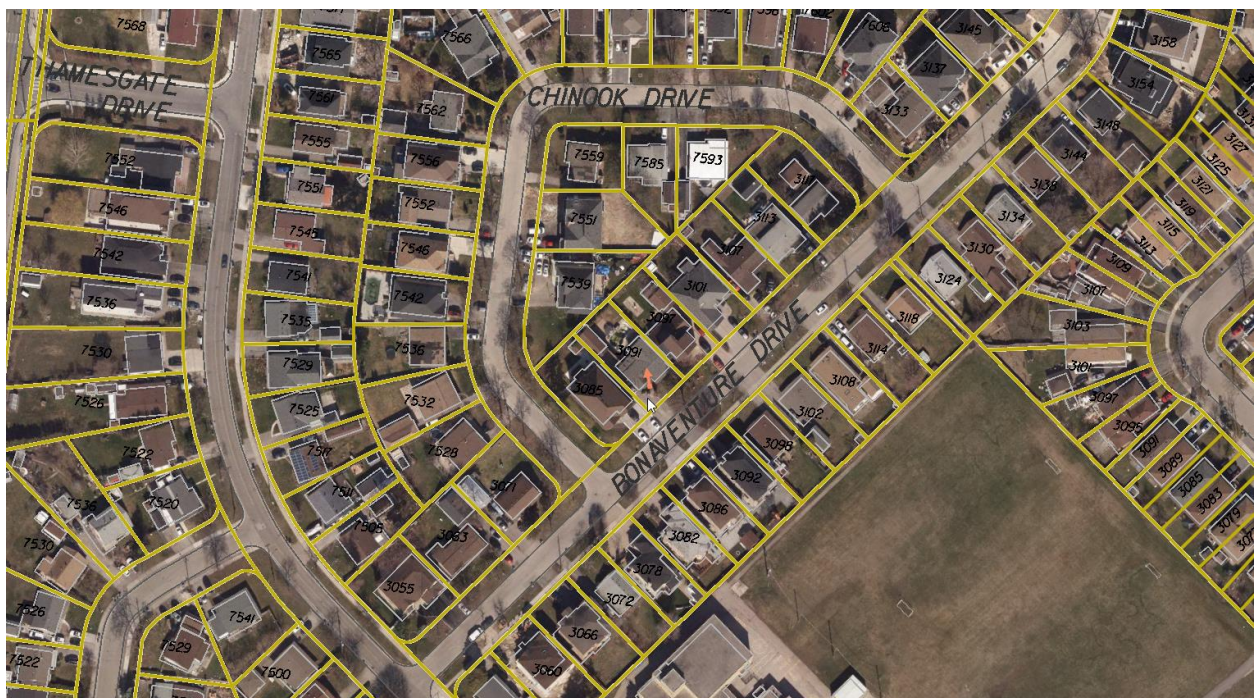
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 627.08m², a lot frontage of +/- 16.46m, and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The surrounding neighbourhood consists of older single storey detached homes, as well as newer two storey detached dwellings on similarly sized lots.

The applicant is proposing a new two-storey dwelling requiring variances for gross floor area 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex 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 dwelling conforms to the designation and staff are of the opinion that the proposed built form appropriately balances the planned character of the area and the existing built form of the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance 1 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. While several properties along Bonaventure Drive have been redeveloped over the years, Building Permit records show that they were developed prior to the Malton Infill Housing Study in 2016. While the proposal represents an increase to the permissions of the by-law, staff are satisfied that the proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variances 2 and 3 relate to the height of the structure. The intent of restricting height is to lessen the visual massing of the dwelling thereby keeping the dwelling at a human scale. The applicant has worked with staff to reduce the overall height of the proposal to bring it in line with the intent of the Zoning By-law. Staff are satisfied that the proposed height represents appropriate massing for the property.

Given the above, staff are satisfied that the application maintains the general intent and purpose of the Zoning By-law.

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

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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

Our previous comments are based on the plans received by Zoning staff on 01/17/2020 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.

Appendix 3 – Toronto and Region Conservation Authority Comments

Based on our latest preliminary 2D modeling results, it appears that a small portion of the front of the subject property is located within the Regulatory Flood Plain. The Water Surface Elevation is 172.06 masl at the subject property. Additionally, it appears that the proposed 2-storey single family dwelling is located outside of the Regulatory Flood Plain and in the location of the existing house. Provided that the proposed dwelling maintains the same setback from the Regulatory Flood Plain as the existing dwelling at minimum, TRCA staff have no concerns with the proposed works and the requested variances, as submitted.

Please advise the applicant to submit a TRCA permit application for the proposed replacement dwelling (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$495 (Works on Private Residential Property – Minor). A site plan drawing demonstrating the existing and proposed front setback is required as well.

Should the applicant disagree with this preliminary analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result for of TRCA's flood modelling.

Recommendation

On the basis of the comments noted below, TRCA staff recommend conditional approval of Minor Variance Application A188/21, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario 166/06 for the proposed works;
2. The applicant submits a \$610 review fee to this office.