

City of Mississauga Department Comments

Date Finalized: 2021-11-10	File(s): A439.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-18 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

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 32.13% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 349.32sq.m (approx. 3,760.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 267.59sq.m (approx. 2,880.31sq.ft) in this instance; and
3. A height of eaves of 6.60m (approx. 21.65ft) measured from average grade to the lower edge of the eaves whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) measured from average grade to the lower edge of the eaves in this instance.

Background

Property Address: 7517 Redstone Road

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 south-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 587.96m² (6,328.75ft²), a lot frontage of +/- 18.29m (60.01ft), 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 and two storey detached and semi-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 lot coverage, gross floor area, and eave 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 lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context.

Variance 2 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. Staff note that after submission but prior to the hearing the applicant worked with staff to reduce the gross floor area of the proposed dwelling. While the revised proposal represents an increase to the permissions of the by-law, staff are satisfied that the revised proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variance 3 relates to the height of the eaves. The intent of restricting height is to lessen the visual massing of the dwelling thereby keeping the dwelling at a human scale. The proposal requests a minor increase in eave height that does not have a significant impact on the massing of the dwelling. Furthermore staff note that an overall height variance has not been requested, which helps keep the massing within an appropriate scale.

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 proposed 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 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: Brandon Eidner, Zoning Examiner