

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A571.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the dwelling.

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 386.45sq.m (approx. 4,159.71sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 295.28sq.m (approx. 3,178.37sq.ft) in this instance; and
2. A height of eaves of 6.60m (approx. 21.65ft) measured to the underside of eaves whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 7773 Netherwood Road

Mississauga Official Plan

Character Area: Malton Neighbourhood
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 Airport Road and Thamesgate Drive intersection in the Malton neighbourhood. It is a corner property with a lot area of +/- 724.73m² (7,800.93ft²) and a frontage of +/- 22.8m (74.8ft). Limited landscaping elements exist in both the front and rear yard. Due to its location as a corner lot the subject property is larger than most others in the surrounding area. The area's built form consists of both detached and semi-detached dwellings, as well as industrial uses to the west of Airport Road.

The applicant is proposing a new dwelling requiring variances for gross floor area and eaves 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 I 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 an increase in gross floor area that is not consistent with the neighbourhood and does not maintain the intent of the infill regulations. This variance will create a dwelling with significant massing and 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 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 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