

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A67.22 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 1:00:00 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 lot coverage of 37.78% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area (infill) of 454.87sq.m (approx. 4,896.18sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill) of 266.2sq.m (approx. 2,865.35sq.ft) in this instance;
3. A flat roof height of 10.36m (approx. 33.99ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
4. An interior side yard setback of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.80m (approx. 5.91ft) in this instance; and,
5. An interior side yard setback of 1.5m (approx. 4.9ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.8m (approx. 5.9ft) in this instance.

Amendments

6. An interior side yard setback of 1.5m (approx. 4.9ft) for the front balcony on second floor whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.8m (approx. 5.9ft) in this instance.

Background

Property Address: 3138 Bonaventure 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 21-7372

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 +/- 581m² (6,254ft²), a lot frontage of +/- 15.9m (52.2ft), and currently contains a single storey detached dwelling with some vegetation in both the front and rear yards. The surrounding neighbourhood consists of a mix of detached dwellings on similarly sized lots and semi-detached dwellings on smaller lots.

The applicant is proposing a new dwelling requiring variances for gross floor area, lot coverage, height, and side yard setbacks.

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. 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 lot coverage, gross floor area and height that are not consistent with the neighbourhood and do 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 Process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-7372. Based on review of the information currently available in this permit application, the variances, as requested are correct. In addition, we advise that the following variance be added:

6. An interior side yard setback of 1.5m (approx. 4.9ft) for the front balcony on second floor whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.8m (approx. 5.9ft) in this instance.

We note that a building permit application is required.

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: Sherri Takaloo, Zoning Examiner