

# City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A768.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to variance 6, however recommends the remaining variances be refused.

## Application Details

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

1. A maximum height of 10.02m (approx. 32.87ft) to the sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the sloped roof in this instance;
2. A maximum height of 6.98m (approx. 22.90ft) to the eaves whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 20.99ft) to the eaves in this instance;
3. A dwelling unit depth of 28.10m (approx. 92.19ft) whereas By-law 0225-2007 as amended permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
4. A gross floor area of 488.87 sq.m (approx. 5262.15sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 301.29 sq.m (approx. 3243.05sq.ft) in this instance;
5. A garage projection of 12.39m (approx. 40.64ft) whereas By-law 0225-2007, as amended, permits a garage projection of 2.0m (approx. 6.56ft) in this instance;
6. A parking stall dimension of 5.2m length (approx. 17.06ft) whereas By-law 0225-2007, as amended, requires a parking stall dimension of 6.0m length (approx. 19.68ft) in this instance; and,
7. A driveway width of 7.71m (approx. 25.29ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance.

## Amendments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-4106. Based on review of the information currently available in this permit application, variances 1,2,5,6, and 7 are correct.

Staff note that variance 4 does not match what was reviewed under the noted application. The required Gross Floor Area – Infill Residential is 381.45 m<sup>2</sup> [150.00 m<sup>2</sup> x (0.20\*1157.25)]. The applicant is permitted to deduct up to 10% of the void space (38.15 m<sup>2</sup>) from the proposed GFA - Infill Residential that was calculated to be 529.67 m<sup>2</sup>. Staff also note that one does not automatically receive the 10% reduction of void space. They take either the 10% (38.15 m<sup>2</sup>) or the actual void space proposed, whichever is less. In this instance the proposed void space that may be deducted was 13.74 m<sup>2</sup> giving a proposed GFA Infill Residential of 515.93 m<sup>2</sup>. It appears as though the applicant has submitted revised drawings that have not been reviewed by zoning through the building application, please be advised that this could lead to the need of further variances.

## Background

**Property Address:** 7526 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:** BP 9NEW 22-4106

### Site and Area Context

The subject property is located south-east of the Airport Road and Thamesgate Drive intersection in Malton. It has a lot area of 1,160.44m<sup>2</sup> (12,490.9ft<sup>2</sup>), larger than the average residential lot size in the surrounding area. Currently it contains a single storey detached dwelling with limited mature vegetative elements on the property. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwellings. Employment and commercial uses are present across Airport Road, abutting the property to the rear.

The applicant is proposing to construct a new dwelling requiring variances for height, eave height, dwelling unit depth, gross floor area, garage projection, parking space size and driveway width.



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

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City undertook 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. While Redstone Road contains many, newer two storey dwellings, 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.

Variances 1 & 2 relate to the height of the eaves and the overall height of the structure. The intent in restricting height to the eaves and overall height is to lessen the visual massing of the dwelling and bringing the edge of the roof closer to the ground. This keeps the height of the dwelling within human scale. The proposed height creates massing concerns and staff note the second storey above the garage will further exacerbate the visual massing of the dwelling. While the average grade on the property is 0.4m below grade, the overall building height and height of the eaves still represents a built form that does not reflect the planned character area and is not in line with the intent of the zoning by-law.

Variances 3 and 5 request an increase in dwelling depth and garage projection. The intent of the dwelling depth provision is to minimize the impacts of tall, long walls on neighbouring lots, especially in areas where newer and larger homes will be existing next to smaller homes. The proposed two storey dwelling significantly extends past the abutting dwellings with the two storey height for the vast majority of the dwelling's length, including the area over the proposed side loaded garage. When combined with the height and gross floor area variances, the massing impacts are significant. The intent of limiting garage projections is to maintain a consistent streetscape while ensuring the garage is not the dominant feature of the dwelling. Limited garage projections are permitted in this zone, and some surrounding new builds include a limited projecting garage in their design. Staff note the proposed side loaded garage projection of 12.36m (40.55ft) accounts for approximately 44% of the proposed dwelling depth. Staff are of the opinion that the dwelling design over-emphasizes the garage as the proposed garage projection is greater than the total dwelling depth of the abutting property to the east. Furthermore, the extent of the garage projection is out of character for the surrounding area. Both requests concerning dwelling depth and garage projection represent an alteration significantly larger than what has been supported by staff, permitted by the Committee or permitted under previous by-laws.

Variance 4 pertains to an increase in Gross Floor Area (GFA). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure that the existing and planned character of a neighbourhood is preserved. The proposed GFA represents a notable increase of approximately 35% from the existing permissions, which would have notable impacts on the structure's massing. Staff note the size of the proposed garage (60.69m<sup>2</sup>) and the additional second storey over the garage significantly increases the massing of the structure against abutting properties the established streetscape. When combined with the requests for height, eave height, dwelling depth and garage projection, the impacts to the streetscape and abutting properties is not minor in nature in the opinion of staff.

Variance 6 relates to the interior parking space size within the garage. The intent of this provision is to ensure the garage can accommodate the parking of atypical vehicles entirely

within the garage. Staff note that the requested interior depth of the garage is larger than a legal parking space in the City and that, despite the proposed reduced area, the garage will maintain the ability to provide parking for vehicles of average length.

Variance 7 requests an increase in driveway width. The intent of the by-law, with regard to driveway widths, is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The proposed driveway would create a significant amount of hardscaping in the front yard and would have the potential to park three cars across on the driveway.

Given the above, staff are of the opinion that variance 6 maintains the general intent and purpose of the zoning by-law, however the remaining variances fail to do so.

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

Variance 6 is desirable and appropriate for the development of the subject lands and is minor in nature. The remaining variances as proposed do not represent appropriate development of the lands with a dwelling that is not sufficiently designed for the subject property. These variances, both individually and cumulatively, are not minor in nature and present significant impacts to the surrounding properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We note 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**

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Staff note that variance 4 does not match what was reviewed under the noted application. The required Gross Floor Area – Infill Residential is  $381.45 \text{ m}^2$  [ $150.00 \text{ m}^2 \times (0.20 \times 1157.25)$ ]. The applicant is permitted to deduct up to 10% of the void space ( $38.15 \text{ m}^2$ ) from the proposed GFA - Infill Residential that was calculated to be  $529.67 \text{ m}^2$ . Staff also note that one does not automatically receive the 10% reduction of void space. They take either the 10% ( $38.15 \text{ m}^2$ ) or the actual void space proposed, whichever is less. In this instance the proposed void space that may be deducted was  $13.74 \text{ m}^2$  giving a proposed GFA Infill Residential of  $515.93 \text{ m}^2$ . It appears as though the applicant has submitted revised drawings that have not been reviewed by zoning through the building application, please be advised that this could lead to the need of further variances.

Comments Prepared by: Tage Crooks, Zoning Examiner

### **Appendix 3 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner