

# City of Mississauga Department Comments

Date Finalized: 2023-11-15	File(s): A422.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-23 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred for redesign.

## Application Details

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

1. A gross floor area (infill residential) of 434.41sq m (approx. 4675.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.86sq m (approx. 3120.03sq ft) in this instance;
2. A driveway width of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
3. An accessory building height of 6.38m (approx. 20.93ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building height of 3.50m (approx. 11.48ft) in this instance;
4. A hammerhead width of 3.50m (approx. 11.48ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead width of 2.60m (approx. 8.53ft) in this instance;
5. A hammerhead length of 4.60m (approx. 15.09ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead length of 3.00m (approx. 9.84ft) in this instance; and,
6. A building height of 8.88m (approx. 29.13ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 6989 Second Line West

### Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

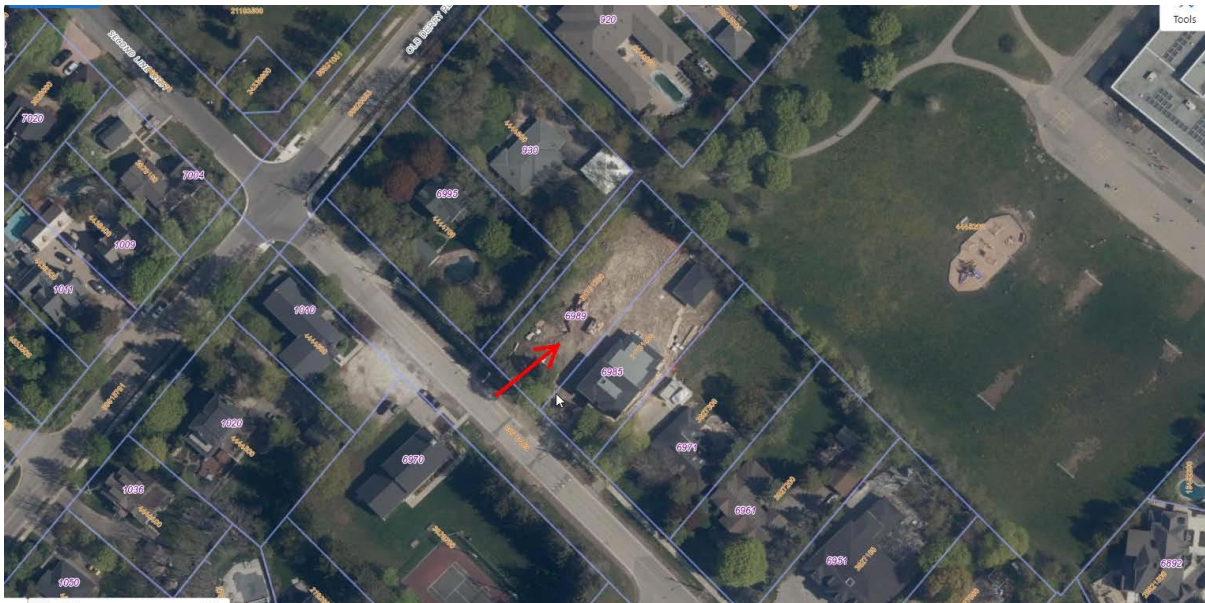
Zoning: R1-32- Residential

Other Applications: None

### Site and Area Context

The subject property is located south-west of the Second Line West and Old Derry Road intersection. It has a lot area of +/- 1 299.48m<sup>2</sup> (13,987.49ft<sup>2</sup>) and a lot frontage of +/- 19.91m (65.32ft). The property is currently vacant with mature vegetation scattered throughout the lot. Contextually, the area is comprised primarily of two-storey detached dwellings with lot frontages of +/- 25.0m (82.02ft) with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, driveway width, dwelling and accessory structure height, and hammerhead width and length.



## 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 Meadowvale Village Neighbourhood Character area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). 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.

Staff have concerns regarding the proposed gross floor area increase. The intent in restricting gross floor area is to maintain compatibility between the existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Planning staff are of the opinion that the proposed gross floor area creates a significant massing impact on both abutting properties and the streetscape. Furthermore, the proposal does not maintain the planned character of the neighbourhood. The proposed gross floor area represents a significant variance from the permissions of the by-law which further exacerbates the massing of the structure.

In addition, staff note a previous application (A136.21 – September 23<sup>rd</sup>, 2021) for the subject property was approved by the Committee at a much lower gross floor area and building height. Staff suggest the applicant tailor their revised application to the figures for the minor variances approved in the previous decision.

Given the above, planning staff are of the opinion the current proposal does not maintain the general intent and purpose of the official plan and zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred to allow the applicant to redesign the dwelling.

Comments Prepared by: Daniel Grdasic, 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 (BP9 NEW 21-9605) and the approved Site Plan (SPI 20-125).







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Planner in Training

## Appendix 3 – Region of Peel

### Minor Variance: A-23-422M / 6989 Second Line W

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the Local Municipality issuing Building Permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel Design Specifications. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

Comments Prepared by: Ayooluwa Ayoola, Junior Planner