

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A67.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 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 to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing a gross floor area of 332.64 sq.m (approx. 3,580.82sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266 sq.m (approx. 2,863.2sq.ft) 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

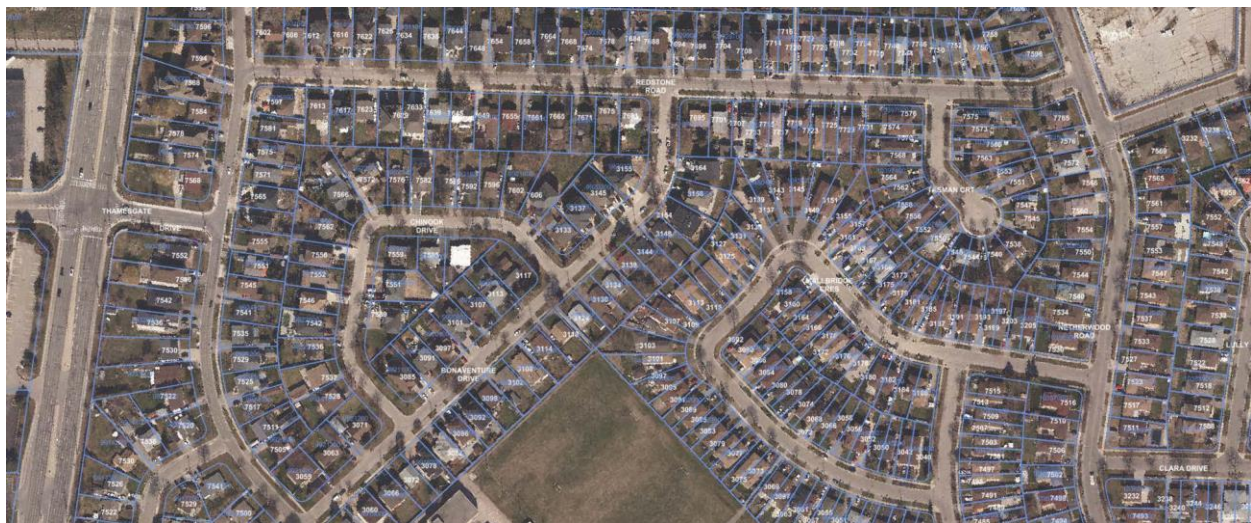
Zoning: R3-69 - Residential

Other Applications: Building Permit application BP 9NEW 23-5296

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 approximately +/- 581m² (6,254ft²), a lot frontage of +/- 15.24m (50ft), and currently contains a single storey detached dwelling with limited 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 a variance for gross floor area.



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 application was deferred on February 17th, 2022, to allow the applicant an opportunity to redesign the proposed dwelling. Staff raised concerns regarding the increase in lot coverage, gross floor area (GFA) and height. The applicant has since revised the drawings addressing staff's concerns pertaining to massing. The current application seeks a variance pertaining to an increase in the Gross Floor Area (GFA). The GFA has now been reduced from the previously proposed 454.87sq m (4896.17 sq.ft) to 332.64sq.m (3,580.82sq.ft).

Does the proposal maintain the general intent and purpose of the Official Plan?

The site is located within the Malton Neighbourhood and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. 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. It's staff's opinion that the proposed detached dwelling respects the designation, surrounding land uses and the planned character of the area. Further, the proposal is consistent with newer two storey dwellings in the immediate area. Staff are satisfied that the variance maintains the general intent and purpose of the official plan.

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

The sole requested variance pertains to 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 are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. Staff are of the opinion that the proposed design limits its impacts to both abutting properties and the streetscape. Further, staff note no variances have been requested for lot coverage or height which further mitigates massing impacts.

Given the above, staff are satisfied that the intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood by maintaining the planned character of the neighbourhood. Staff are of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Shivani Chopra, Planning Associate

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

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 23-5296. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – TRCA

The proposed works are outside of TRCA's Regulated Area of the Mimico Creek watershed.

As such, TRCA staff have no concerns with the new dwelling. However, TRCA is interested in future development or site alteration (ex. Driveway paving) and should be contacted prior to construction.

This email is to provide TRCA clearance of the application 3138 Bonaventure Drive (A67.22/ PAR-DPP-2024-00099), on the 3:30pm agenda at the July 11, 2024 Committee of Adjustment meeting.

I trust this is of assistance.

Comments Prepared by: Marina Janakovic, Planner I

Appendix 5 – Region of Peel

Please apply previous comments.

City Department and Agency Comments	File:A67.22	2024/07/03	7
-------------------------------------	-------------	------------	---

Comments Prepared by: Petrele Francois, Junior Planner