

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-27	File(s): A338.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/3/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. A lot coverage of 33.85% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 329.11sq m (approx. 3542.51sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 272.37sq m (approx. 2931.79sq ft) in this instance;
3. A building height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and
4. An eaves height of 6.71m (approx. 22.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 7675 Redstone Rd

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

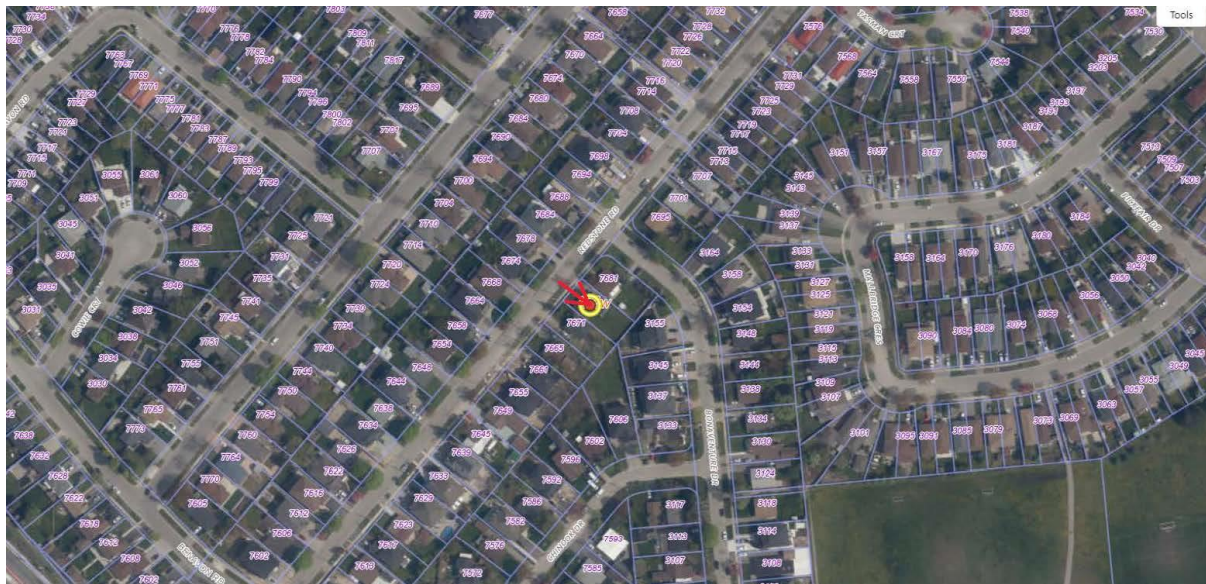
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood Character Area. It has a lot area of +/- 611.53m² (6,582.45ft²), and currently contains a single storey detached home with limited landscaping and vegetative elements on the subject property. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwellings. Additionally, there are employment and commercial uses present on the west side of Airport Road.

The applicant is proposing to construct a new dwelling requiring variances for lot coverage, gross floor area, dwelling and eave 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 application was deferred on August 22nd, 2024, to allow the applicant an opportunity to redesign the proposed dwelling. Previously, Planning staff raised concerns regarding the increase in lot coverage, gross floor area (GFA) and height. The applicant has since revised the drawings to address staff's concerns pertaining to massing. The revised application seeks a variance pertaining to an increase in the lot coverage, gross floor area (GFA) and dwelling height. The GFA has now been reduced from the previously proposed 406.35m² (4,373.95ft²) to 329.11m² (3,542.51m²). The proposed lot coverage has been reduced from 40.75% to 33.85%. The dwelling height has also been reduced from the previously proposed 10.54m (34.58ft) to 9.50m (31.17ft).

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

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. 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. Staff note the presence of larger infill dwellings along this particular portion of Redstone Road. Staff are therefore satisfied that the proposal is in line with the existing dwellings in the neighbourhood and is consistent with the planned character of the surrounding community. Staff are of the opinion that the proposal maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context.

Variance 2 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings while ensuring the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study. Staff note similar approvals concerning gross floor area for new infill dwellings are prevalent in the neighbourhood.

Variances 3 and 4 pertain to an increase for dwelling and eave height. The intent of restricting height is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground. This keeps the overall height and eaves of the dwelling within human scale. Staff are of the opinion that the impacts of the requested dwelling and eave height increase are negligible and represent a minor deviation from what the by-law envisions. The proposal maintains a human scale and does not exacerbate the visual massing of the dwelling.

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

Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and represent appropriate development of the subject property. The proposed dwelling will have limited impacts on the abutting properties and the streetscape.

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.





Comments Prepared by: Tony Iacobucci, Development Engineering

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or 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.

An 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 Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-338M / 7675 Redstone Road

Development Engineering: Brian Melnyk (905) 791-7800 x3602

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 at 905.791.7800 x7973 or by email at 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 at 905.791.7800 x7973 or by email at 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 at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5- Toronto and Region Conservation Authority Comments

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application A338.24 is to allow the following:

1. A lot coverage of 33.85% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 329.11sq m (approx. 3542.51sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 272.37sq m (approx. 2931.79sq ft) in this instance;
3. A building height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and
4. An eaves height of 6.71m (approx. 22.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

TRCA staff understand that there is an existing one-storey detached dwelling on site. It is our understanding that the requested variances are required to facilitate the replacement dwelling.

CA Act and O. Reg. 41/24

Given the above noted natural features and natural hazards, a small portion of the subject lands are located within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. Based on our review of the proposed development associated, the proposed development is located outside of the regulation portion of the subject lands. As such, TRCA Permits will not be required from TRCA prior to any works commencing.

Application Specific Comments

TRCA staff understand that the house is setback (approx. 1m) from the front yard which places the replacement dwelling outside of TRCA's Regulated Area. Also, TRCA staff understand that the front driveway is proposed to remain, and no other works are within the front yard. As such a TRCA permit is not required for the above noted works. However, TRCA is interested in future site alteration and development and should be contacted prior to commencing the works.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A338.24** is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on July 4, 2024.

Comments Prepared by: Marina Janakovic, Planner I