

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A23.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

## Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

## Application Details

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

1. A lot coverage of 35.65% (209.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 406.81sq.m (approx. 4378.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.86m (approx. 22.52ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A rectangular garage area of 5.84m x 5.26m (approx. 19.16ft x 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m (approx. 19.69ft x 19.02ft) in this instance.

## Background

**Property Address:** 7480 Homeside Gardens

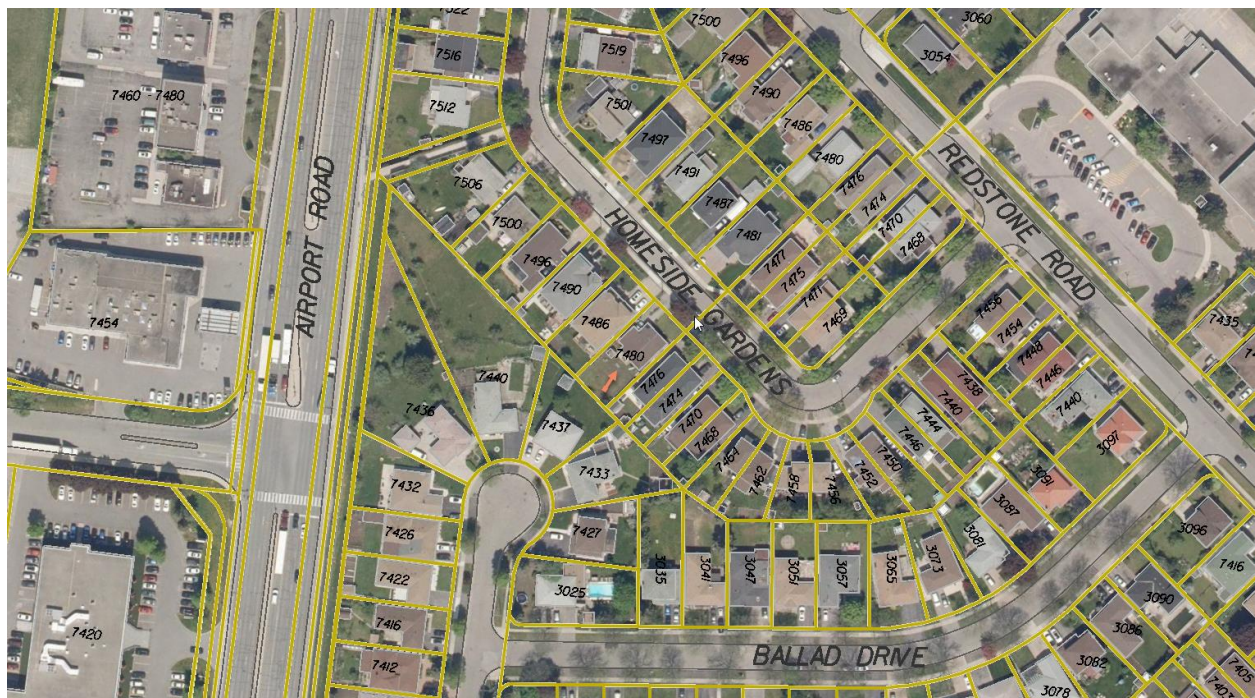
### Mississauga Official Plan

Character Area: Malton Neighbourhood Character Area  
Designation: Residential Low Density II

**Zoning By-law 0225-2007****Zoning: R3-69 - Residential****Other Applications: None****Site and Area Context**

The subject property is located south-west of the Redstone Rd. and Homeside Gardens intersection. The subject property is an interior parcel, with a lot area of +/- 580.35m<sup>2</sup> and a lot frontage of +/- 15.24m. The property currently houses a two-storey, detached dwelling and possesses minimal vegetation/ landscape elements in the front and rear yard. Contextually, the surrounding neighbourhood consists of post-war, single storey detached dwellings mixed with newer two storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two-storey dwelling that requires variances for lot coverage, gross floor area, building height and garage size.



## 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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. 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. The proposed detached dwelling respects the designated land use; however, should have regard for proportional distribution of massing on the property as a whole.

Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the Malton Infill Housing Study was initiated 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. Although the immediate area contains a lot of 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. The application proposes an increase in gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

## Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

Comments Prepared by: Brooke Herczeg RPP, 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 is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.



The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

#### **Appendix 4 – Heritage**

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

#### **Appendix 5 – Region of Peel Comments**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner