

# City of Mississauga Department Comments

Date Finalized: 2021-09-29	File(s): A393.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 1:00:00 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 that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing a dwelling depth of 21.79m (approx. 71.49ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

## Background

**Property Address:** 19 Maldaver Avenue

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-50 - Residential

**Other Applications:** BP 9NEW 21-5711

### Site and Area Context

The subject property is located north-east of the Erin Mills Parkway and Thomas Street intersection in the Streetsville neighbourhood. Currently the subject property contains a single

storey detached dwelling with limited vegetation and landscaping in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on lots of various sizes. The subject property has a frontage of +/- 19.14m (62.80ft) and a lot area of +/- 1,031.06m<sup>2</sup> (11,098.24ft<sup>2</sup>).

The applicant is proposing to construct a new dwelling requiring a variance for dwelling depth.



## 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:

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached 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 complies with the Official Plan designation and is appropriately sized for the subject property. Staff are satisfied 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?**

The application requests an increased dwelling depth. The intent of this provision is to minimize the impacts of long walls on neighbouring lots as a result of the massing. Staff note that the dwelling itself meets the Zoning By-law, however the proposed rear porch is proposed to be excavated below grade for additional living space in the basement. The inclusion of the rear porch and basement living space in the dwelling depth measurement pushes the dwelling depth over 20 metres, triggering the variance. Staff are satisfied that the additional depth will not be perceptible from neighbouring properties and that the general 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?**

Staff are satisfied that the dwelling is appropriately sized and represents appropriate development of the subject property. Any impacts on surrounding properties are mitigated by the design of the dwelling locating the additional depth below grade and are therefore minor in nature.

Comments Prepared by: Alexander Davies, 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 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 currently processing a building permit under file BP 9NEW 21-5711. Based on review of the information currently available in this permit 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 permit application submitted on 06/26/2021 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner