

City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A571.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred in order to allow the applicant the opportunity to redesign the proposed dwelling.

Application Details

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

1. A lot coverage of 32.67% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A gross floor area of 383.90sq m (approx. 4,132.27sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 291.68sq m (approx. 3,139.62sq ft) in this instance;
3. A sloped roof height of 9.10m (approx. 29.86ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance; and,
4. An eaves height of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 60 Theodore Dr

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

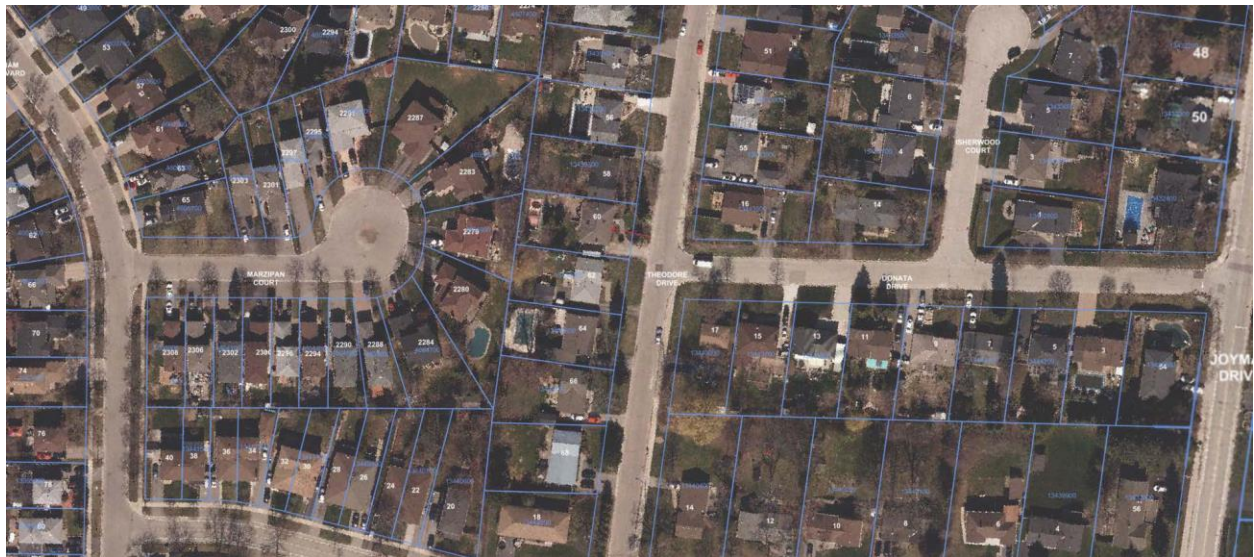
Zoning: R2-50 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Britannia Road West and Queen Street intersection in the Streetsville neighbourhood. It currently contains a single storey detached dwelling and has a lot area of +/- 708.19m² (7,622.89ft²), characteristic of lots along this portion of Theodore Drive. Some mature vegetation is present in both the front and rear yards of the subject property. The surrounding area context is predominantly residential consisting exclusively of detached dwellings on lots of varying sizes.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for eave height, overall height, lot coverage and 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 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. This designation permits only detached dwellings in this instance. 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.

In 2009 the City passed Zoning By-law 0380-2009, amending the zoning of the subject property and surrounding area to R2-50 from the previous R2-7 zone. This by-law amendment had the effect of reducing the maximum permitted lot coverage from 30% to 25% and introduced a maximum gross floor area provision. The intent of the newer by-law was to limit the overall massing of dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes increases in gross floor area and lot coverage that are not consistent with the neighbourhood and do not maintain the intent of the regulations. These variances will create a dwelling with significant massing and impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

In addition to the above comments, staff note that recent change to the zoning by-law impacting the calculation of gross floor area as it relates to open to below areas may impact the requested gross floor area. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

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 proposed new dwelling will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit application is required. In the absence of a Building Permit application 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: Amy Campbell, Planner-in-Training