

City of Mississauga Department Comments

Date Finalized: 2023-01-16	File(s): A506.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 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:

1. An eave height of 6.737m (approx. 22.10ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A height to the roof ridge of 9.36m (approx. 30.71ft) whereas By-law 0225-2007, as amended, permits a maximum height to the roof ridge of 9.00m (approx. 29.53ft) in this instance;
3. A lot coverage of 36.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and,
4. A gross floor area of 369.11sq m (approx. 3973.07sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 288.89sq m (approx. 3109.59sq ft) in this instance.

Background

Property Address: 10 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: BP 9NEW 22-3118

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 +/- 695.93m² (7,490.93ft²), which is characteristic of lots along this portion of Theodore Drive. Mature vegetation is present in both the front and rear yards of the subject property. The surrounding area context is predominantly residential, consisting of detached and semi-detached dwellings on lots of varying sizes. Commercial uses are present along Britannia Road West to the north.

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:

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. 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. Planning staff are satisfied that the built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variations 1 & 2 relate to the overall and eave heights of the structure. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling. By lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground it will keep the dwelling within human scale. The proposed property slopes down towards the rear, resulting in the Average Grade being below ground level at the front of the dwelling. This limits the appearance of the dwelling's height from the streetscape. Staff are satisfied that the proposed dwelling's height is not excessive and represents an appropriate height.

Variance 3 requests an increase in lot coverage, and variance 4 requests an increase in gross floor area. 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. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. While these requests are generally higher than would be supportable in the surrounding area, staff note that the proposed dwelling's lot coverage represents only a minor increase from the as of right permission, with the remainder of the lot coverage increase being due to the large rear deck which does not have the same impacts on massing compared to an enclosed structure. Regarding the gross floor area staff are satisfied that the design of the dwelling has been done in a manner that would break up the massing of the dwelling, thereby limiting its impacts to both abutting properties and the streetscape. Staff are therefore satisfied that the lot coverage and gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

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

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

Planning staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore staff are of the opinion that the application proposes appropriate development of the subject property.

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 currently processing a Building Permit under file BP 9NEW 22-3118. 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 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: Maria Fernandez, Zoning Examiner