

# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A44.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. An eaves height of 6.76m (approx. 22.17ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
2. A gross floor area (infill residential) of 316.31sq.m (approx. 3,404.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 274.98sq.m (approx. 2959.86sq.ft) in this instance;
3. A lot coverage of 31.26% (approx. 195.36sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (approx. 156.23sq.m) in this instance;
4. A front yard setback of 7.25m (approx. 23.78ft) whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) in this instance;
5. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance; and,
6. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance.

## Background

**Property Address:** 8 Wareham Drive

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

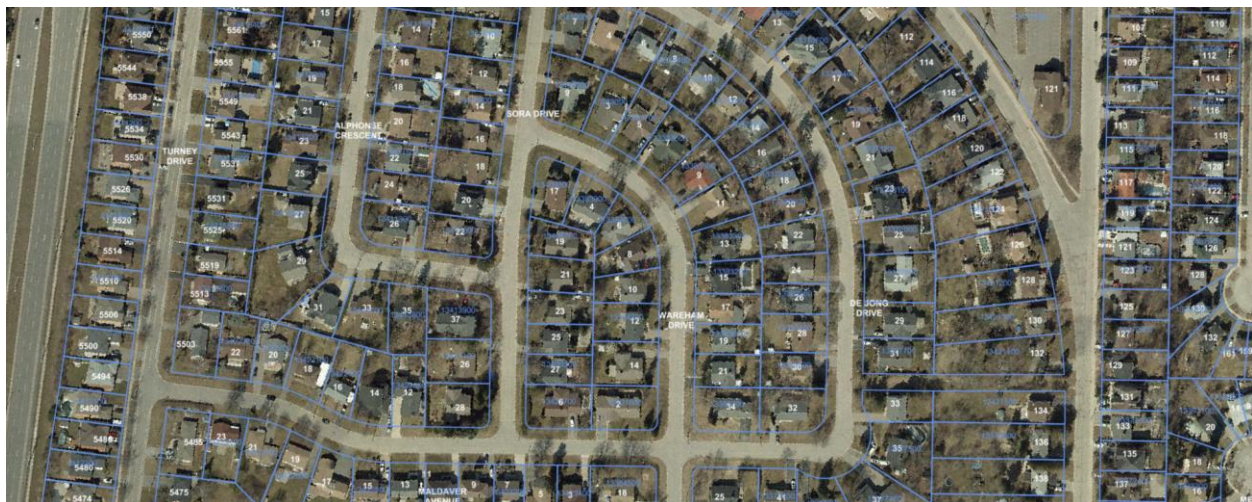
Zoning: R2-50-Residential

Other Applications: None

### Site and Area Context

The subject property is located north-east of the Erin Mills Parkway and Thomas Street intersection in Streetsville. It currently contains a single storey detached dwelling and has a lot area of +/- 626.2m<sup>2</sup> (6,740.4ft<sup>2</sup>). The property is located on the inside of the curve of Wareham Drive and is a reverse pie lot with a wider frontage and a narrower rear. Some mature vegetation is present on the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots. The majority of dwellings are original to the neighbourhood, however some redevelopment is present.

The applicant is proposing a new dwelling requiring variances for eave height, gross floor area, lot coverage, and front and side yard setbacks.



## 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.

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. One of the effects of this by-law was reducing the maximum lot coverage provision in the zone from 30% to 25%. The intent of the newer by-law is to limit the overall massing of dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in lot coverage for the enclosed dwelling itself that is more representative of the previous by-law and does not maintain the intent of the new regulations. 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.

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 dwelling will be addressed by our Development Construction Section through the Building Permit Process.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **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: Brooke Herczeg, Zoning Examiner

### **Appendix 3 – Region of Peel**

**Minor Variance Application: A-44/23 – 8 Wareham Drive**  
Development Engineering: Camila Marczuk (905) 791-7800 x8230

**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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Partycia Menko, Junior Planner