

# City of Mississauga Department Comments

Date Finalized: 2023-04-12	File(s): A71.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-04-20 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 house proposing:

1. A gross floor area –infill residential of 468.95sq m (approx. 5047.74sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 307.42sq m (approx. 3309.04sq ft) in this instance;
2. An eaves height of 7.32m (approx. 24.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
3. A lot coverage of 34.68% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

## Background

**Property Address:** 66 Theodore Dr

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

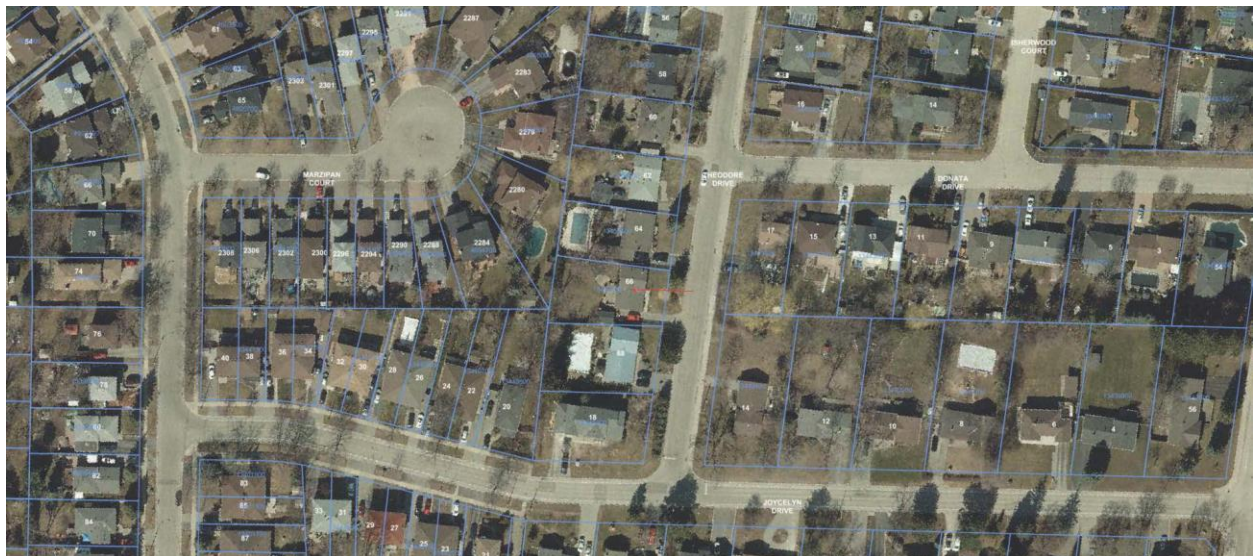
**Zoning:** R2-50 - Residential

**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 side split detached dwelling and has a lot area of +/- 784.21m<sup>2</sup> (8,441.17ft<sup>2</sup>), 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, 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. The effects of this by-law included introducing a maximum gross floor area provision in the zone and reducing the maximum permitted lot coverage 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 increases in gross floor area and lot coverage that are not consistent with the neighbourhood and do not maintain the intent of the regulations. The 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.

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 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 Comments**

**Minor Variance Application: A-71/23 – 66 Theodore 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: Patrycia Menko, Junior Planner