

# City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A204.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 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 a dwelling proposing:

1. A gross floor area (infill residential) of 803.51sq m (approx. 8648.91ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 717.09sq m (approx. 7718.69sq ft) in this instance;
2. A dwelling depth of 24.68m (approx. 80.97ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A building height of 9.11m (approx. 29.89ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. An underside eaves height of 7.37m (approx. 24.17ft) whereas By-law 0225-2007, as amended, permits a maximum underside eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A cabana height of 4.89m (approx. 16.04ft) whereas By-law 0225-2007, as amended, permits a maximum cabana height of 3.50m (approx. 11.48ft) in this instance;
6. A combined side yard setback of 6.06m (approx. 19.88ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 8.35m (approx. 27.40ft) in this instance;
7. A front yard setback of 10.89m (approx. 35.73ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance; and,
8. 3 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance.

## Amendments

The Building Department is currently processing a Building Permit under file 23-6469. Based on review of the information currently available in this permit application, we advise that more

City Department and Agency Comments	File:A204.23	2023/07/05	2
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information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

We note that Variance #2, 6 and 8 are correct however, Variances #3 and 7 should be amended to;

3. A proposed building height for a flat roof of 9.11m (approx. 29.89ft) whereas By-law 0225-2007, as amended, permits a maximum building height for a flat roof of 7.5m (approx. 29.53ft) in this instance;

7. A garage front setback of 10.89m (approx. 35.73ft) whereas By-law 0225-2007, as amended, requires a minimum garage front setback of 12.00m (approx. 39.37ft) in this instance;

## Background

**Property Address:** 1242 Tecumseh Park Drive

### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

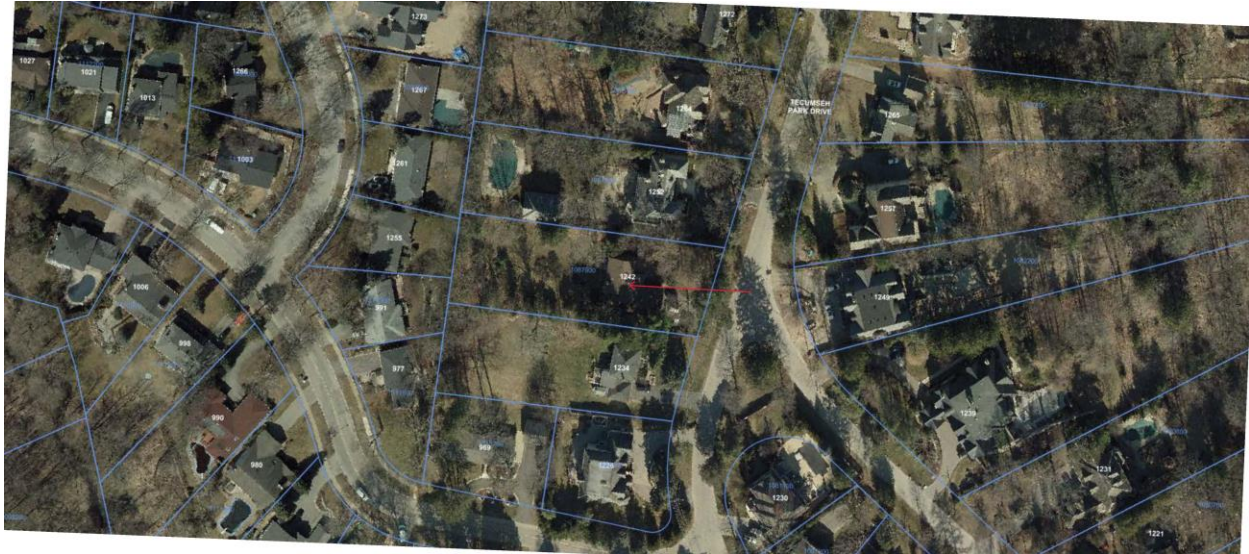
**Zoning:** R1-2- Residential

### Other Applications:

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of the Tecumseh Park Drive and Indian Road intersection. The immediate neighbourhood is residential, consisting primarily of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application proposes a new dwelling requiring variances related to gross floor area, dwelling depth, building height, eave height, cabana height, combined side yards, front yard setback and number of garages.



## 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 are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. The proposed detached dwelling respects the designated land use.

Upon review of the application, Planning staff has identified concerns with variances #1, 3, 4 and 5.

Variances #1, 3 and 4 pertain to gross floor area, dwelling and eave height. Staff are concerned that the values of these variances are excessive. Furthermore, these variances do not meet the intent of the infill guidelines and will create significant massing concerns that will impact adjacent neighbours and the streetscape.

Variance #5 appears numerically excessive and inaccurate. The applicant is requesting an accessory structure height of 4.89m where the drawings submitted indicate that the accessory structure has a height of 3.5m. Furthermore, the applicant likely requires relief from accessory structure area and combined area requirements, which may not be supported by Planning staff.

As such, Planning staff recommend that the application be deferred to allow the applicant an opportunity to redesign the proposal and confirm the accuracy of the requested variances with

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Zoning staff. Planning staff also recommend that the applicant discuss the proposal with Planning staff prior to submitting a revised minor variance application.

Comments Prepared by: Connor DiPietro, 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 property are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW-23/6469.











Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file 23-6469. 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: Brooke Herczeg, Zoning Examiner

### Appendix 3 – CVC

Although our online mapping indicates that the subject site at 1242 Tecumseh Park Drive is regulated by CVC, we have had a chance to review and the subject property is not located within CVC's Regulated Area. As such, a CVC permit is not required for development on this property and we do not need to review and comment on the proposed Minor Variance application.

Comments Prepared by: Stuti Bhatt, Junior Planner

### Appendix 4- Region of Peel

#### Minor Variance: A-23-204M – 1242 Tecumseh Park

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).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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).

Planning: Patrycia Menko (905) 791-7800 x3114

##### Comments:

- The subject property is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Patrycia Menko, Junior Planner