

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A287.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

## Application Details

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

1. A gross floor area – infill residential of 655.28sq.m (approx. 7053.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 30.11% (543.18sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.80m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
5. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
6. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
7. A dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.

## Amendments

The Building Department is currently processing a building permit under file SPI 21-51. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area – infill residential of 641.15sq.m (approx. 6901.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 28% (501.56sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A combined width of side yards of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
5. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
6. A dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.
7. A total of two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage per lot in this instance.
8. A walkway attachment width of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum attachment width of 1.5m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1471 Stavebank Road

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

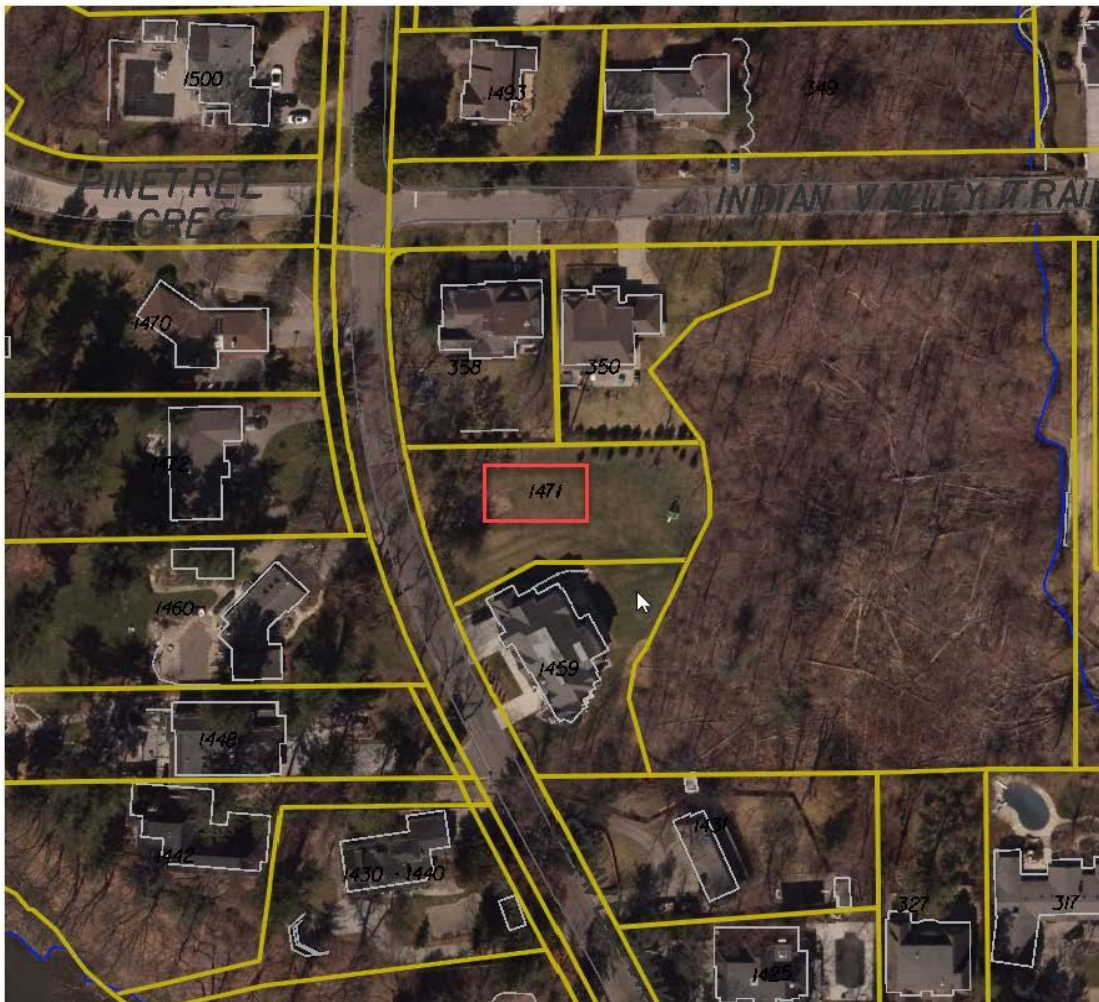
**Zoning:** R1-2 - Residential

**Other Applications:** SPI 21-51 W1

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and Indian Valley Trail. The neighbourhood is entirely residential, consisting of one storey and two storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property is vacant with mature vegetation lining the property's frontage and northerly side yard.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, lot coverage, combined width of side yards, building heights and dwelling unit depth.



## 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), which permits detached, semi-detached and duplex dwellings. While larger dwellings are not out of character with the surrounding area, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility between the existing dwellings on the street nor would it preserve the established character of the neighbourhood. Staff are also concerned that the proposed dwelling depth causes significant massing issues and will directly impact the neighbouring property to the south. Regarding the proposed walkway width attachment of 3.25m, staff have concluded that the increased walkway width is excessive, and is large enough to be utilized for parking purposes. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area, dwelling depth and walkway attachment.

## Conclusion

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to redesign.

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 proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/051.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-51. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area – infill residential of 641.15sq.m (approx. 6901.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
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8. A walkway attachment width of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum attachment width of 1.5m (approx. 4.92ft) in this instance.

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

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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: Alana Zheng, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. The lands to the rear of the property are City owned lands, identified as P-510 (Not Yet Named) and within Residential Woodland, that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Given that the subject lands are subject to site plan control, should the application be approved, Community Services provides the following notes:

1. Tree preservation/ Woodland protection hoarding and securities may be required as part of the application process.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 4 – Heritage**

N/A

### **Appendix 5 – Region of Peel Comments**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that the subject property is located within an area the Regional Official Plan (ROP) designates as a Natural Areas and Corridors (NAC) Woodland of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located directly adjacent to the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above noted designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.