

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A301.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to submit the requested information.

## 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 of 371.00sq.m (approx. 3,993.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 344.41sq.m (approx. 3,707.20sq.ft) in this instance;
2. An encroachment of a window well into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
4. A front yard of 6.19m (approx. 20.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
5. An encroachment of a porch, inclusive of stairs into the required exterior side yard of 5.04m (approx. 16.54ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
6. An interior side yard (measured from the closest point of the dwelling) of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
7. An encroachment of a deck into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a deck into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
8. A garage projection of 6.14m (approx. 20.14ft) beyond the front wall of the dwelling whereas By-law 0225-2007, as amended does not permit a garage projection in this instance.
9. An exterior side yard (measured from the closest point of the dwelling) of 4.90m (approx.

16.08ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;

10. An eave height of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;

11. A dwelling depth of 23.77m (approx. 77.99ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and

12. A driveway width of 6.78m (approx. 22.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

### **Amendments**

Zoning staff advise that the following amendment be made:

3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required interior side yard of 0.61m (approx. 2.00ft) in this instance;

## **Background**

**Property Address:** 168 Kenollie Avenue

### **Mississauga Official Plan**

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

### **Zoning By-law 0225-2007**

**Zoning:** R2-1 - Residential

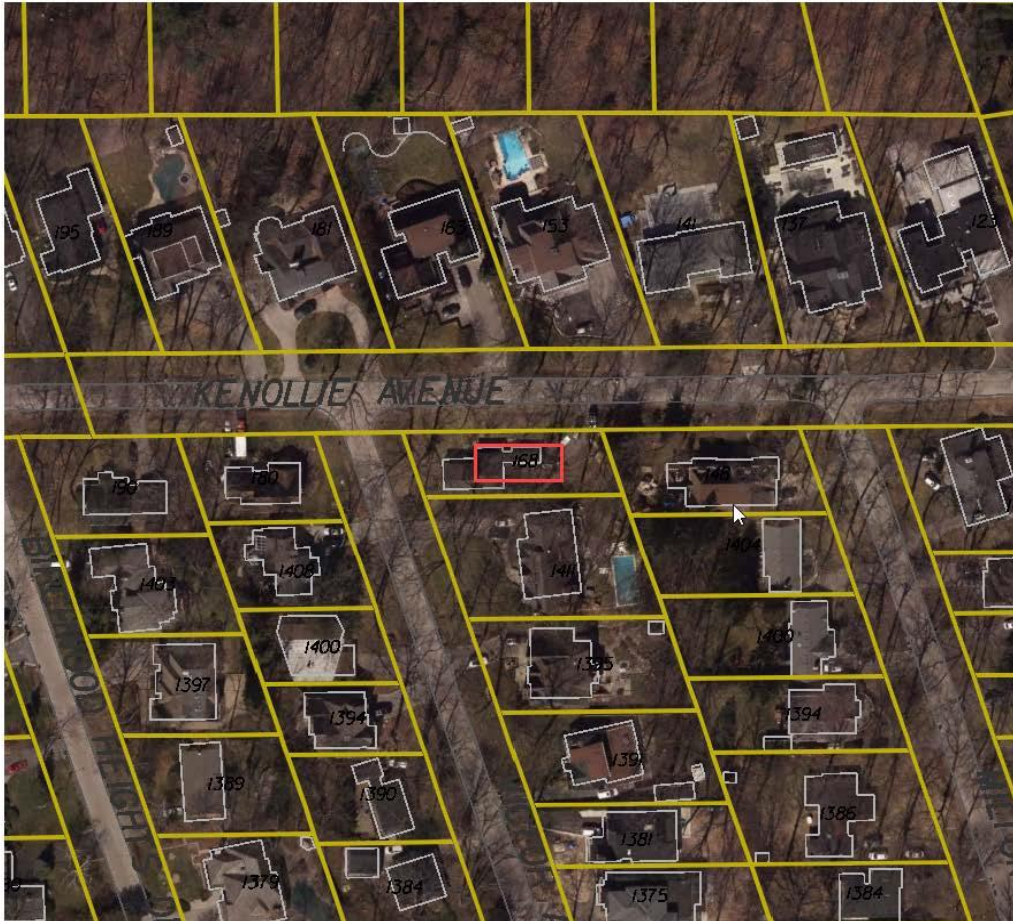
### **Other Applications:**

SPI 20-138 W1

### **Site and Area Context**

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Hurontario Street and Mineola Road West. 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 contains a one storey bungalow on a corner lot with mature vegetation in the property's front and side yards.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, encroachment of a window well, front yard, encroachment of a porch, 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*.

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex dwellings.

The applicant has requested the Committee to approve minor variances #1-12 to allow the construction of a new two storey dwelling on the subject property. Upon review of the application, staff have noticed multiple discrepancies between the submitted drawings and the requested variances. Due to the discrepancies, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to submit a revised list of variances and/or drawings.

### Conclusion

The Planning and Building Department recommends that the application be deferred to submit the requested information.

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-20/138.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-138. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended/added as follows:

3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required interior side yard of 0.61m (approx. 2.00ft) in this instance;

Further, we note that variance 4. cannot be confirmed as the requested dimensions has not been provided on a Site Plan submitted through the permit process.

Our comments are based on the plans received by Zoning staff on 04/26/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

#### **Appendix 5 – Region of Peel 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

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)