

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A336.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested.

## 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 377.55sq.m (approx. 4063.91sq.ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 363.88sq.m (approx. 3916.77sq.ft) in this instance; and
2. A building height measured to the eaves of 6.58m (approx. 21.59ft) 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.

## Background

**Property Address:** 1599 Kenmuir Avenue

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-1 - Residential

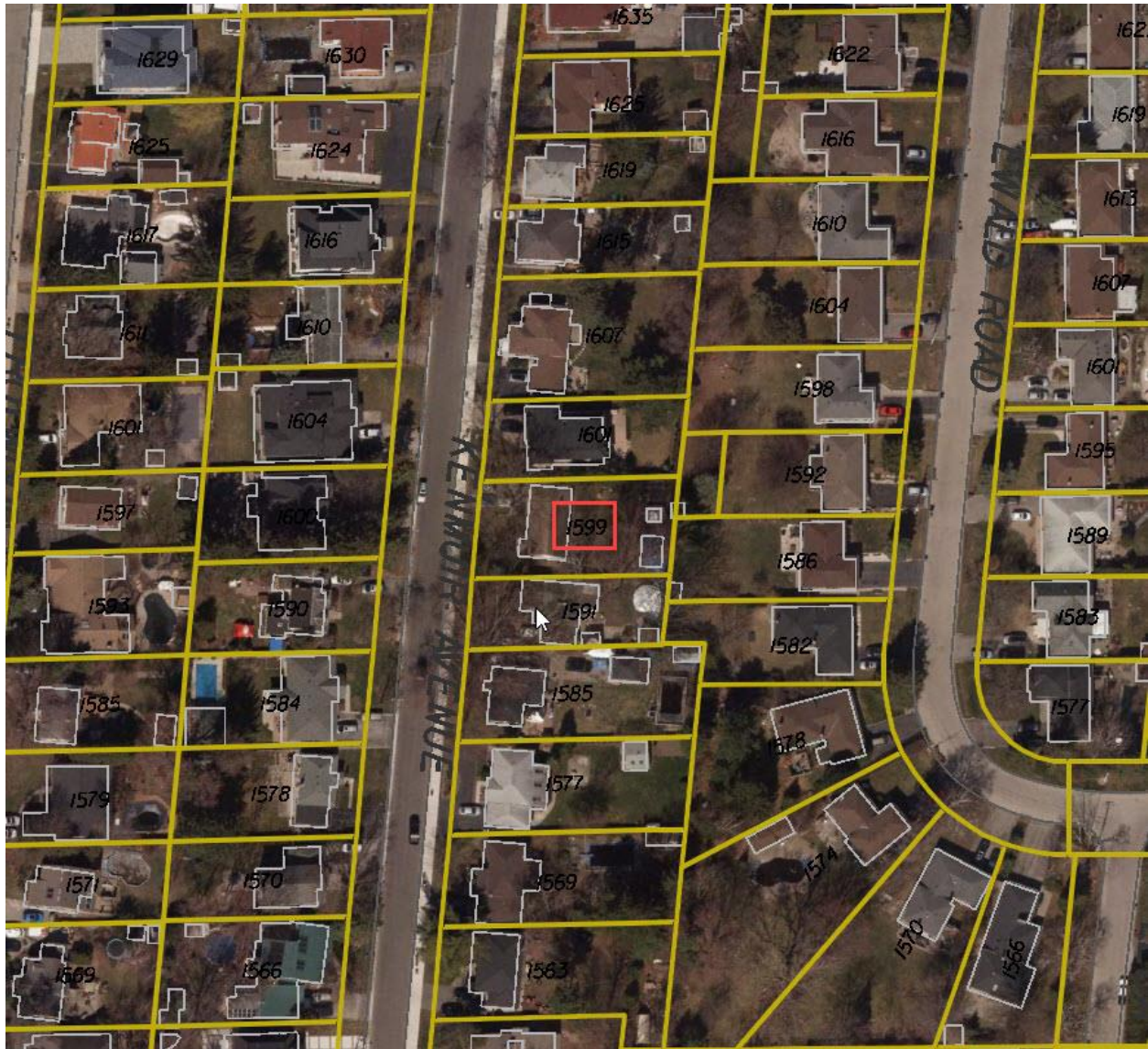
**Other Applications:** SPI – 21-76 W1

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**Site and Area Context**

The subject property is located within the Mineola Neighbourhood Character Area, west of Cawthra Road and South Service Road. The neighbourhood is primarily residential, consisting of an eclectic mix of older and newer one and two storey detached dwellings with significant mature vegetation in the front, rear and side yards. Immediately north of the subject property is the Queen Elizabeth Way. The subject property contains a one storey single detached dwelling with mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring variances related to gross floor area and height to the eaves.



## 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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages. New housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours regarding overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variances #1 and 2 propose an increased gross floor area and height to the eaves. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling by keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The requested height variance is attributed to the discrepancy between average and established grade. In this instance, the difference between the average grade and established grade is approximately 0.33 m. From a streetscape perspective, the dwelling's eave height would be 6.25m, which would not require relief from the zoning by-law. Furthermore, by including gables in the roofline and incorporating the second story within the roof structure, these architectural design features have minimized the resulting eave height and massing impact of the proposed dwelling. Additionally, the dwelling contains a staggered front façade, which further mitigates the visual massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

The proposed dwelling includes architectural features, such as dormers and the fact that the proposed second storey is to be built within the roofline, breaking up the overall massing and height of the dwelling. Additionally, the dwelling contains a staggered front façade, further mitigating the visual massing of the dwelling. Finally, the proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

## 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-21/076.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-76. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that more information has been asked for in regard to the front porch.

Please note that comments reflect those provided through the above permit application and

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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: Brandon Eidner, Zoning Examiner