

City of Mississauga Department Comments

Date Finalized: 2021-09-14	File(s): A349.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-23 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to review the proposal with zoning staff.

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 of 448.00sq.m (approx. 4822.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 398.82sq.m (approx. 4292.86sq.ft) in this instance;
2. A lot coverage of 33.70% (352.15sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (313.23sq.m) in this instance;
3. A garage height 5.81m (approx. 19.06ft) whereas By-law 0225-2007, as amended, permits a maximum garage height of 5.44m (approx. 17.85ft) in this instance;
4. A garage height measured to the eaves of 3.65m (approx. 11.98ft) whereas By-law 0225-2007, as amended, permits a maximum garage height measured to the eaves of 3.52m (approx. ft) in this instance;
5. Front yard of 7.97m (approx. 26.15ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 8.55m (approx. 28.05ft) in this instance;
6. A combined width of side yards of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.16m (approx. 20.21ft) in this instance; and
7. An easterly side yard measured to the eaves of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum easterly side yard measured to the eaves of 1.97m (approx. 6.46ft) in this instance.

Background

Property Address: 81 Mineola Road West

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-1 - Residential

Other Planning Applications: Site Plan (SPI 21-5 W1) and Building Permits (BP 9 NEW 20 – 3280 and BP 9 NEW 21-6363)

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Mineola Road West. 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. The subject property contains a two storey single detached dwelling with mature vegetation in the front yard.

The application proposes a new two storey dwelling requiring variances related to gross floor area, lot coverage, garage heights, front yard and side yards.



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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings. While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, Planning staff have discussed the application with Zoning staff and determined that a number of variances (#3-6 and 7) appear to be incorrect. Planning staff are only able to speak to the variances as requested and cannot comment on their validity as it pertains to compliancy against the Zoning By-law. Additional variances may be required. As such, staff recommends deferral of the application to allow the applicant an opportunity to review the proposal with zoning staff.

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-21/005.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a development applications under files SPI 21-5 & BP 9NEW 21-6363. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 2021-07-20 for the above captioned 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: Brian Bonner, Supervisor