

## City of Mississauga Department Comments

Date Finalized: 2021-11-23	File(s): A211.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

### Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that no additional variances are required.

### 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 – infill residential of 871.29sq.m (approx. 9377.52sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 823.10sq.m (approx. 8859.77sq.ft) in this instance;
2. A dwelling depth of 21.03m (approx. 69.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An balcony area of 19.37sq.m (approx. 208.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A balcony projection beyond the garage face of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection beyond the garage face of 1.00m (approx. 3.28ft) in this instance;
5. A building height measured to the eaves (from average grade) of 9.51m (approx. 31.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the eaves of 6.40m (approx. 21.00ft) in this instance;
6. A building height measured to a flat roof of 10.27m (approx. 33.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance;
7. A driveway width of 16.46m (approx. 54.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
8. Two driveways whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance;
9. A setback measured from a lot line to the driveway of 0m whereas By-law 0225-2007, as

amended, requires a minimum setback measured from a lot line to a driveway of 0.61m (approx. 2.00ft) in this instance;

10. A building height of an accessory structure of 5.51m (approx. 18.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance;

11. A hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) in this instance;

12. Dimensions of a hammerhead driveway of 6.0m x 14.0m (approx. 19.68 x 45.92ft) whereas By-law 0225-2007, as amended, permits maximum dimensions of a hammerhead driveway of 2.6 x 3.0m (approx. 8.53x 9.84ft) in this instance; and

13. A walkway attachment of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 320 Indian Valley Trail

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Greenlands & Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-4 & R2-5 - Residential

### Other Applications

Site Plan Application 19-153

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Indian Valley Trail. The immediate neighbourhood is entirely residential, consisting of one and two storey-detached dwellings with significant mature vegetation in the front yards. The subject property is a flag shaped lot containing an existing one-storey dwelling with significant mature vegetation throughout the lot.

The applicant is proposing a new two-storey dwelling that requires variances related to gross floor area, dwelling depth, balconies, height, driveways, walkway attachment and an accessory structure.



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 note that the above noted applications were previously heard by the Committee of Adjustment on June 3<sup>rd</sup>, 2021, and were subsequently deferred to allow the applicant an opportunity to submit a letter to the Fire Department to request permission to vary a hammerhead length requirement.

Staff echo's the Fire Department's support of the proposal. Furthermore, there are no changes proposed to the requested variances. As noted in Staff's report dated May 27, 2021, staff had

no concerns with the remaining variances proposed. Staff continues to have no concerns with the proposed variances.

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-19/153.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

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13. A walkway attachment of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

The Building Department is currently processing a Site Plan Infill application under file SPI 19-153. 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: Ramsen Hedoo, Zoning Examiner

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

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

- The lands adjacent to the property are City owned lands, identified as Not Yet Named (P-510). 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 the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park 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