

City of Mississauga Department Comments

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| Date Finalized: 2021-12-22 | File(s): A566.21 |
| To: Committee of Adjustment | Ward: 1 |
| From: Committee of Adjustment Coordinator | Meeting date:2022-01-13 3:00:00 PM |

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot coverage of 31% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
2. A gross floor area of 425.95sq.m (approx. 4,584.89sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floors area of 379.58sq.m (approx. 4,085.77sq.ft) in this instance;
3. A dwelling unit depth of 21.44m (approx. 70.34ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
4. A height of eaves of 7.94m (approx. 26.04ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A height to highest ridge of 9.99m (approx. 32.78ft) whereas By-law 0225-2007, as amended, permits a maximum height to highest ridge of 9.50m (approx. 31.17ft) in this instance;
6. An eave encroachment of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.47ft) in this instance;
7. A window well encroachment of 2.08m (approx. 6.82ft) into a required yard whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) into a required yard in this instance;
8. A front yard setback of 6.75m (approx. 22.15ft) to the window well, whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.89m (approx. 22.60ft) in this instance;
9. An exterior side yard setback of 5.41m (approx. 17.75ft) to the garden wall, whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.90m (approx. 19.36ft) in this instance;
10. An interior side yard setback of 1.75m (approx. 5.74ft) whereas By-law 0225-2007, as

amended, requires a minimum interior side yard setback of 3.00m (approx. 9.84ft) in this instance; and

11. A setback of 0.61m (approx. 2.00ft) to the shed whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) to a shed in this instance.

Amendments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-88. Based on latest review of the information currently available in this permit application, we advise that variances as requested are correct, however the following variance should be added:

12. A landscaped soft area of %38 whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area in the yard containing the driveway of %40 in this instance.

Background

Property Address: 190 Kenollie Avenue

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

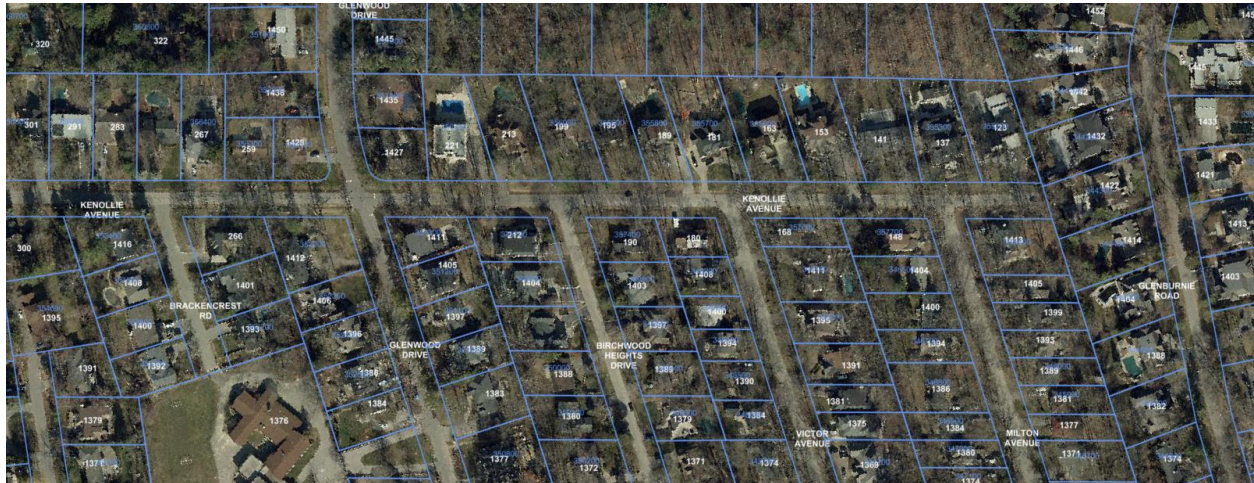
Other Applications:

Preliminary Application Meeting - PAM 20-317, Site Plan Infill – SPI 21 88, Tree Removal – TRP 21-123

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 low density residential, consisting of a range of detached dwellings, including one storey, one and a half 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 and a half storey dwelling 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 lot coverage, gross floor area, dwelling depth, heights, encroachments and setbacks.



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, duplex dwellings.

While larger dwellings are not out of character within the surrounding area, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility with the existing dwellings in the neighbourhood and does not preserve the neighbourhood's character. Planning staff note that only a site plan and building elevation drawings were submitted in support of this application. Staff require floor plan drawings in order to accurately assess the variances proposed and determine the extent in which the application meets the criteria required in Section 45 of the *Planning Act*.

Staff are also concerned that increasing the dwelling's depth and gross floor area (GFA), while decreasing the interior side yard setback, will cause significant massing issues and will directly impact the neighbouring property to the south. Staff also note an additional variance is required for a reduced soft landscaped area.

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Staff recommend that the proposal be deferred for redesigned in order to address the concerns raised above and for the applicant to provide the additional supporting documents.

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-21/088.



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 21-88. Based on latest review of the information currently available in this permit application, we advise that variances as requested are correct, however the following variance should be added:

12. A landscaped soft area of %38 whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area in the yard containing the driveway of %40 in this instance.

In addition, we advise that more information is required in order to 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: Sherri Takaloo, Zoning Examiner