

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A146.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 1:00:00 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 side yard setback of 1.81m (approx. 5.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
2. A combined width of side yards of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 5.39m (approx. 17.68ft) in this instance;
3. A side yard setback of 1.38m (approx. 4.53ft) to the second storey eaves overhang whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.96m (approx. 6.43ft) in this instance;
4. A dwelling depth of 20.52m (approx. 67.32ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
5. A garage projection of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, permits a 0.0m garage projection in this instance; and,
6. A gross floor area – infill residential of 399.20sq.m (approx. 4,296.95sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 350.84sq.m (approx. 3,776.41ft) in this instance.

Background

Property Address: 1518 Kenmuir Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

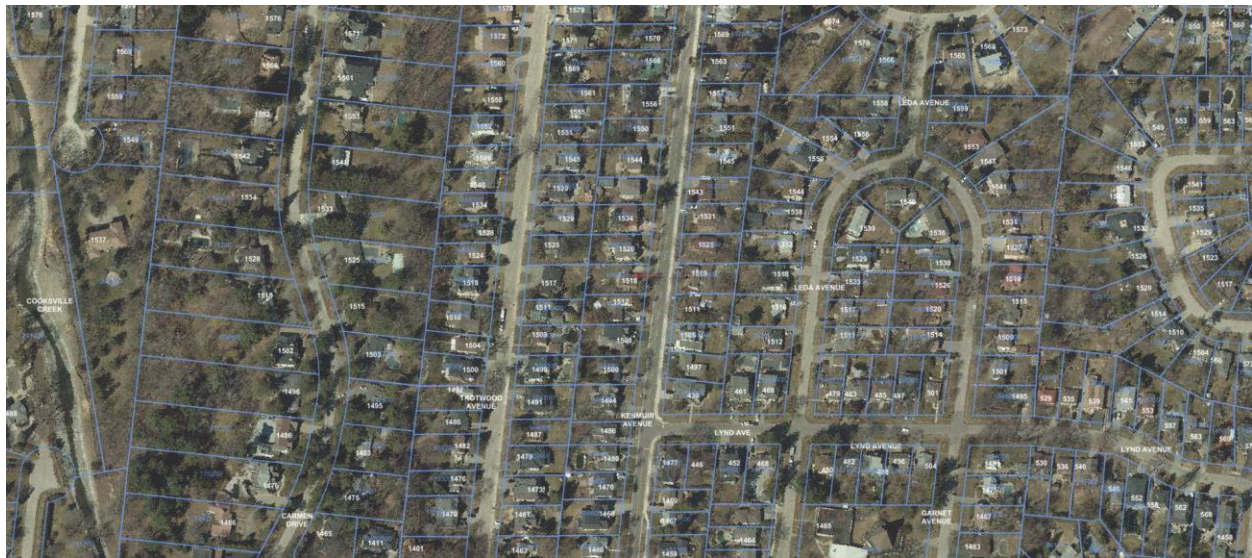
Zoning: R3-1 - Residential

Other Applications: Site Plan application under file SPI 21-126

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of the Cawthra Road and South Service Road intersection. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains a one and a half storey detached dwelling with mature vegetation in the front yard.

The application proposes a new two-storey detached dwelling requiring variances for setbacks, dwelling depth, garage projection and gross floor area.



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 II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

Upon the review of a new two storey-detached dwellings in the neighbourhood, Staff are of the opinion that the proposed gross floor area for the dwelling is excessive and does not maintain compatibility between the existing dwellings on the street; nor would it preserve the established character of the neighbourhood. Furthermore, the proposed dwelling contains a significant open to below space at the rear. While this does not contribute to the gross floor area of the dwelling, it contributes to the dwelling's overall massing, which will directly impact the neighbouring properties.

Staff are also concerned that additional variances may be required, which may not be supported by Planning staff. Staff have no immediate concerns with the remaining variances, as requested. Planning staff recommend the application be deferred to give the applicant an opportunity to redesign the dwelling and meet with Zoning staff to ensure the accuracy of the requested 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 will be addressed through the current Site Plan application SP-21/126.



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 21-126 W1. Based on review of the information currently available in this permit application, the variances, as requested are correct.

We also 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 site plan application submitted on 03/03/2022 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: Jeanine Benitez, Zoning Examiner