

City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A453.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 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 combined side yard width of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.6m (approx. 11.81ft) in this instance;
2. An interior side yard setback of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. An eaves height of 7.0m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.4m (approx. 21.00ft) in this instance;
4. A garage projection of 1.07m (approx. 3.51ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance; and,
5. A gross floor area of 353.28 sq m (approx. 3802.67sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 298.12 sq m (approx. 3208.94sq ft) in this instance.

Background

Property Address: 235 Angelene St

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

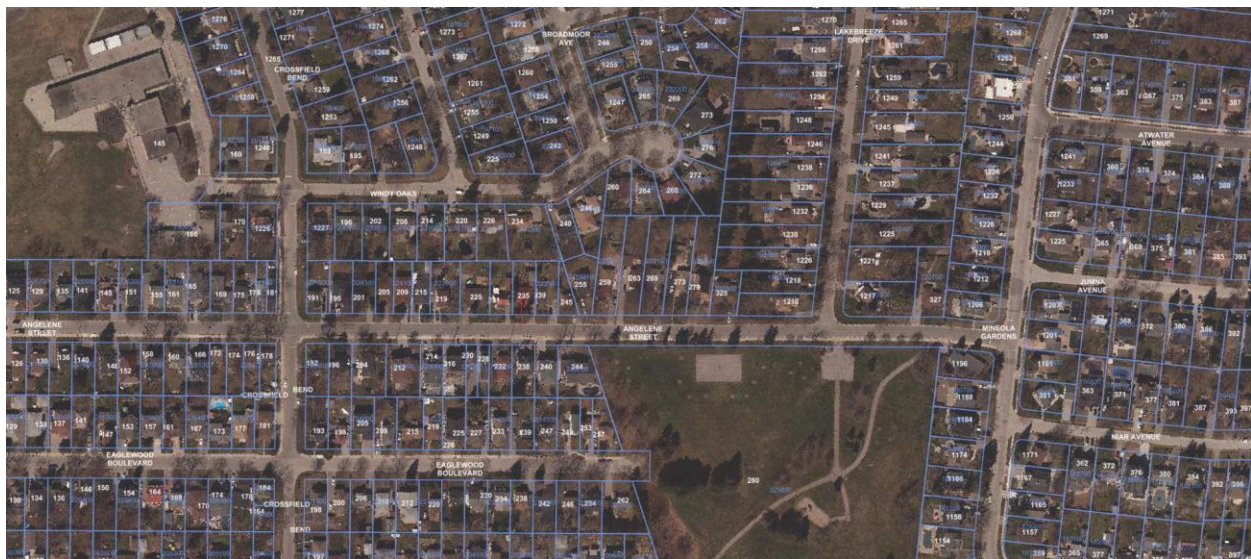
Zoning: R3-1 - Residential

Other Applications: Site Plan Infill application under file SPI 22-23 W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East. The neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one-storey dwelling with mature vegetation in the front yard.

The applicant is proposing a two-storey dwelling requiring variances related to side yard width, setbacks, eave height, 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 in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street towns and other forms of low-rise dwellings with individual frontages.

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the gross floor area (GFA) in combination with the proposed eave height are excessive. Furthermore, the GFA and eave height will create a dwelling that does not maintain compatibility with the existing dwellings in the neighbourhood, does not preserve the neighbourhood's character and will cause significant massing issues that will directly impact neighbouring properties to the east and west.

Staff are also concerned that increasing the dwelling's GFA, garage projection and eave height while decreasing the interior side yard setbacks will exacerbate massing issues.

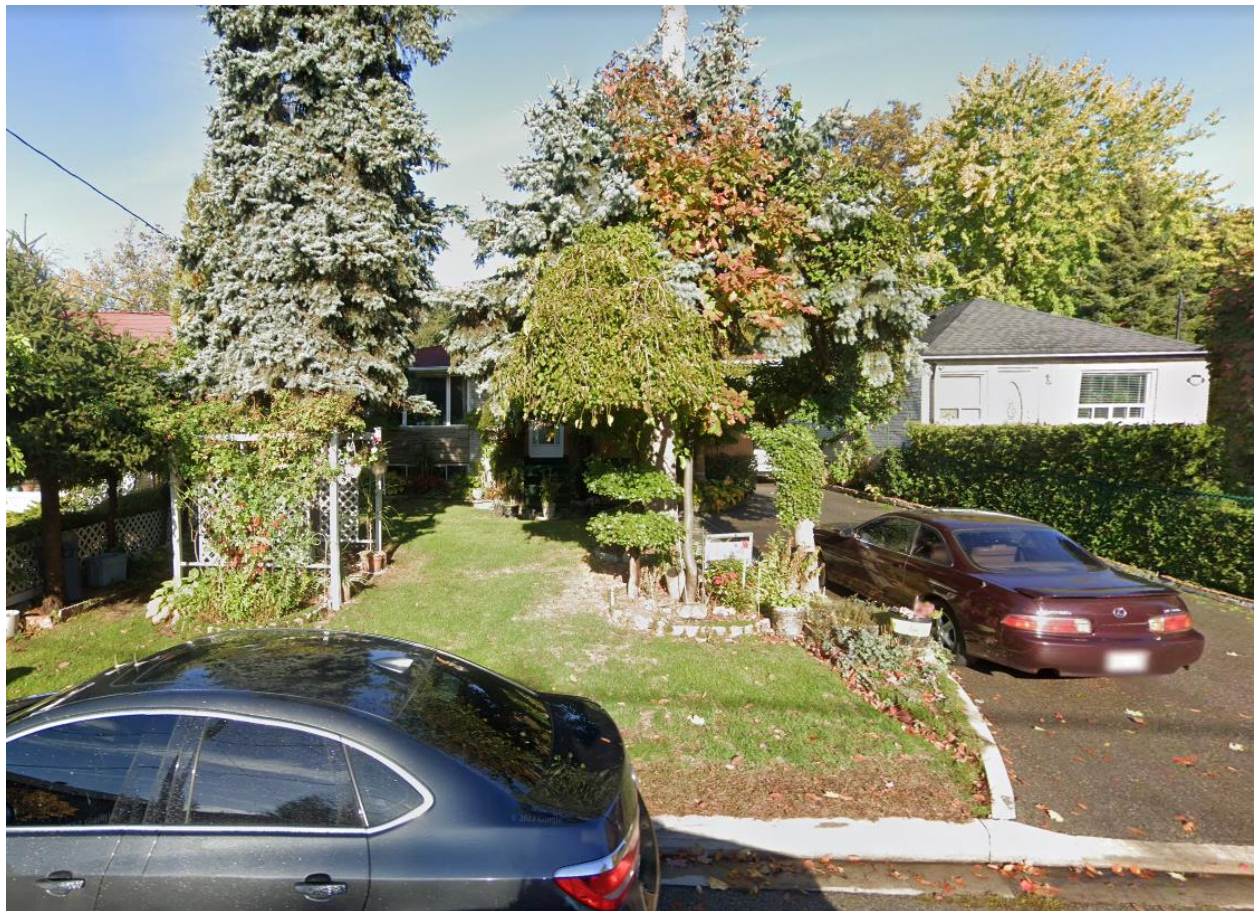
Staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling.

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 approval process, SP-22/023.



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 22-23 W1. Based on review of the information currently available in this permit application, variances # 1, 2, 3 and 4, as requested are correct. Furthermore, we advise that more

information is required in order to verify the accuracy of the remaining variance or determine whether additional variance(s) will be required.

In addition, we advise that a minor variance is required for the excessive accessory building/structure area.

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: Brandon Eidner, Zoning Examiner

Appendix 3 - Metrolinx

Metrolinx is in receipt of the minor variance application for 235 Angelene St to facilitate the construction of a new two-storey detached dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Leah.ChishimbaSimwanza@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Farah Faroque Intern, Third Party Projects Review