

City of Mississauga Department Comments

Date Finalized: 2023-02-06	File(s): A738.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-03-02 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 2.71m (approx. 8.89ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 3.60m (approx. 11.81ft) in this instance;
2. An interior side yard setback of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A garage projection of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0.00m in this instance and,
4. A gross floor area of 379.59sq m (approx. 4085.87sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 306.76sq m (approx. 3301.94sq ft) in this instance.

Background

Property Address: 1467 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: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Cawthra Road and the Queen Elizabeth Way. The immediate neighbourhood is entirely residential, consisting of one, one and a half and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling with vegetation in the property's front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to side yards, 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:

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the variances for gross floor area (GFA) and garage projection are excessive. Furthermore, the proposed GFA 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 abutting properties and the streetscape.

Staff are also concerned that reducing side yard requirements will exacerbate massing concerns. Staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling to address concerns raised.

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 by our Development Construction Section through the future Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-738/22, 1467 Kenmuir Avenue

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services