

City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A82.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 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 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 variance and that additional variances are not required.

Application Details

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

1. A height to the highest ridge of 9.25m (approx. 30.35ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.00m (approx. 29.53ft) in this instance;
2. An eave height of 7.27m (approx. 23.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
3. A gross floor area of 364.44sq m (approx. 3922.80sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.15sq m (approx. 3618.30sq ft) in this instance;
4. An exterior side yard setback to the basement/porch of 3.19m (approx. 10.47ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
5. A below grade dwelling depth of 22.39m (approx. 73.46ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A setback to the eaves of 2.85m (approx. 9.35ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.55m (approx. 18.21ft) in this instance; and,
7. A setback to the window well of 2.71m (approx. 8.89ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.39m (approx. 17.68ft) in this instance.

Background

Property Address: 604 Exbury Cres

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, southeast of the Cawthra Road and Queen Elizabeth Way overpass. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey dwelling requiring variances for height, gross floor area, setbacks and dwelling depth.



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 site is located within the Mineola Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached dwellings, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

Planning staff have no immediate concerns with the requested variances. With respect to variances #1 and 2, staff note a 0.23m (0.76ft) discrepancy between the grade where the dwelling sits and average grade. Therefore, when viewing the proposed dwelling from the front yard, the overall height would appear to be 9.02m (29.59ft) and eave height would appear to be 7.04m (23.09ft). These values represent minor deviations from the existing regulations. The proposed gross floor area contained in variance #3 is consistent with new detached dwellings in the immediate area and is generally compatible with older detached dwellings as well. Staff note that the proposed setbacks contained in variances #4, 6 and 7 are consistent with setbacks found in the immediate area. Furthermore, a large municipal boulevard provides additional buffering between the proposed dwelling and the streetscape. Lastly, staff note that variance #5 is only required to accommodate the depth of the basement, as the dwelling at grade maintains a depth of 18.88m (61.94ft).

It is staff's opinion that the proposed dwelling is generally sympathetic to the surrounding area and will pose a minimal impact on the neighbouring properties. Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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 Comments

Minor Variance Application: A-82/23 – 604 Exbury Crescent

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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