

# City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A86.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. A left interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. A right interior side yard setback of 1.20m (approx. 3.94ft) 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 combined side yard width of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
4. A building height to the highest ridge of 9.73m (approx. 31.92ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
5. An eaves height of 7.82m (approx. 25.66ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
6. A building depth of 31.22m (approx. 102.43ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance;
7. A gross floor area of 615.67sq m (approx. 6627.02sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 561.22sq m (approx. 6040.92sq ft) in this instance; and,
8. An accessory structure (cabana) coverage of 42.00sq m (approx. 452.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum coverage of 20.00sq m (approx. 215.28sq ft) in this instance.

## Background

**Property Address:** 1160 Mona Rd

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-3 - Residential

**Other Applications:** none

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Mineola Road West and Hurontario Street. The immediate area consists of a mix of one and two-storey detached dwellings on lots with mature vegetation. The subject property was originally part of Mona Road (part of 1166 Mona Road). On December 16<sup>th</sup>, 2021, the Committee granted the applicant approval to sever 1166 Mona Road (A552/21) thereby creating the subject property.

The applicant is proposing a new two-storey detached dwelling requiring variances for side yard setbacks, building and eave heights, dwelling depth, gross floor area and accessory structure 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 I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings with individual frontages.

The intent of the infill regulations is to regulate the overall massing of new dwellings and ensure they are compatible with the surrounding area. The proposed variances raise concerns with respect to the intent of the infill regulations. Staff are of the opinion that the proposed dwelling will present significant massing concerns to neighbouring properties due to its gross floor area, overall depth, building height and eave height. Staff are also concerned that the proposed dwelling may be considered a flat roof dwelling by the by-law and as such, variances #4 and 5 may be incorrect. Staff has no immediate concerns with the remaining variances. As such, staff recommends that the application be deferred to allow the applicant an opportunity to redesign the dwelling and review the proposal with Zoning staff to ensure the variances requested are accurate and that no additional variances are required.

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 application is required. In the absence of a building permit application 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: Adam McCormack – Zoning Examiner

### Appendix 3 – CVC Comments

A23/086 – 1160 Mona Road

Although the property appears to be regulated based on our mapping, I can confirm we have updated information and that it is outside of CVC's regulated area. CVC review/approval are not required. As such, CVC staff will not be providing comments on the application.

Comments Prepared by: Beata Pakulski, Junior Planner

### Appendix 4- Metrolinx Comments

#### 1160 Mona Rd

Metrolinx is in receipt of the minor variance application for 1160 Mona Rd to facilitate the construction of a new 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 [Farah.Faroque@metrolinx.com](mailto:Farah.Faroque@metrolinx.com) with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that following warning clause will be inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit within 300 metres of the Railway Corridor:
  - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including

the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Comments Prepared by: Farah Faroque, Intern

## **Appendix 5- Region of Peel Comments**

### **Minor Variance Application: A-86/23 – 1160 Mona Road**

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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Development Planning: Patrycia Menko (905) 791-7800 x3114

#### **Comment:**

- Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation Authority (CVC). Regional Planning staff therefore, request that the Committee and City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Patrycia Menko, Junior Planner