

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A94.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 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 construction of a new dwelling proposing:

1. A combined side yard width of 7.10m (approx. 23.29ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 8.23m (approx. 27.00ft) in this instance;
2. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
3. A garage area of 85.47sq m (approx. 919.99sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
4. A garage projection of 12.18m (approx. 39.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 28.85m (approx. 94.65ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A sloped roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance;
7. An eave height of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
8. A gross floor area of 1005.41sq m (approx. 10822.14sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 872.63sq m (approx. 9392.91sq ft) in this instance.

Amendments

Should the Committee see merit in the application, Zoning staff request that the following variance be amended as follows:

3. A garage area of 85.48sq m (approx. 920.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;

Background

Property Address: 140 Pinewood Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

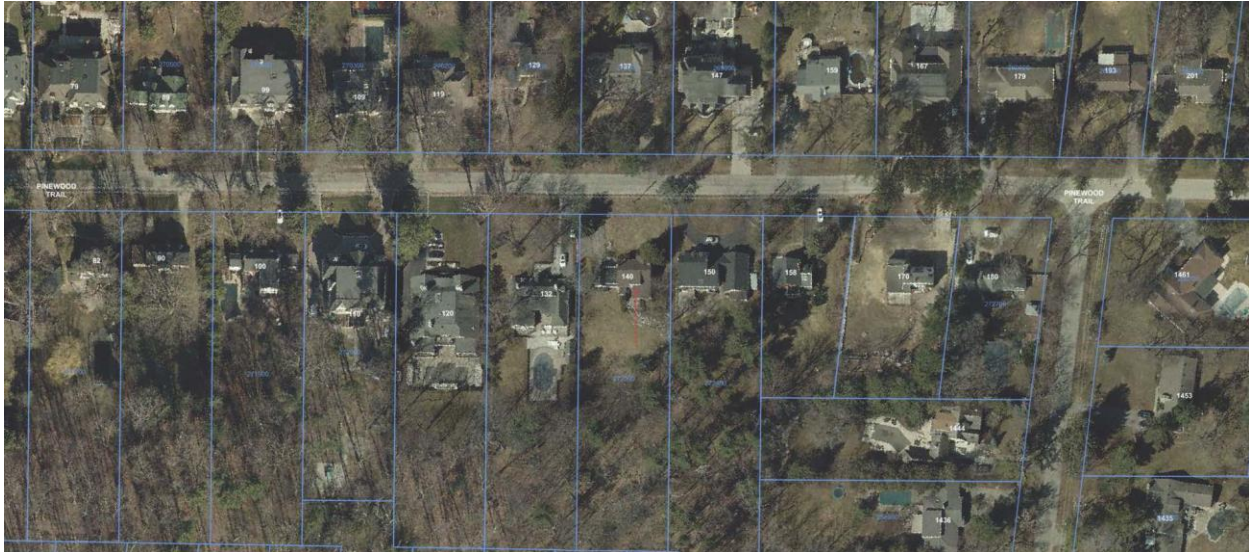
Zoning: R1-2- Residential

Other Applications SPI 22-125

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, east of the Hurontario Street and Pinewood Trail intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting permission to construct a new two-storey detached dwelling requiring variances related to side yard width, garages, dwelling depth, area and height.



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 on Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings.

Staff have identified concerns with variances 2, 3, 4, 5, 6, 7 and 8. The requested variances do not meet the intent of the infill regulations and present significant massing concerns that will directly affect abutting properties and the streetscape. While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the proposed dwelling does not maintain compatibility with the existing dwellings in the neighbourhood, and does not preserve the neighbourhood's character. Furthermore, the variances requested are excessive in nature.

Planning staff also note that the requested variances may be inaccurate and additional variances may be required.

Based on the preceding information, staff recommend that the application be deferred to allow the applicant an opportunity to discuss the proposal with Planning staff and to redesign the dwelling to address the concerns raised above. Planning staff also recommend that the applicant 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 by our Development Construction Section through the future Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file SPI 22-125. Based on review of the information currently available in this application, the following variances, as requested are correct.

1. A combined side yard width of 7.10m (approx. 23.29ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 8.23m (approx. 27.00ft) in this instance;
2. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
4. A garage projection of 12.18m (approx. 39.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 28.85m (approx. 94.65ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A sloped roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance;
7. An eave height of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,

We advise that the following variances should be amended as follows:

3. A garage area of 85.48sq m (approx. 920.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;

We also advise that more information is required in order to verify the accuracy of the remaining requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 09/01/2022 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

Appendix 3 – Region of Peel

Minor Variance Application: A-23-094M – 140 Pinewood Trail 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