

City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A747.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 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, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

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

1. A gross floor area of 456.69sq m (approx. 4948.06sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 453.58sq m (approx. 4882.29sq ft) in this instance;
2. A combined side yard setback of 5.59m (approx. 18.33ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 5.76m (approx. 18.90ft) in this instance;
3. An eave height of 6.62m (approx. 21.71ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
4. An accessory structure area of 29.68sq m (approx. 319.47sq ft) for the cabana and covered patio whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) for the cabana and covered patio in this instance.

Background

Property Address: 309 Mineola Rd E

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

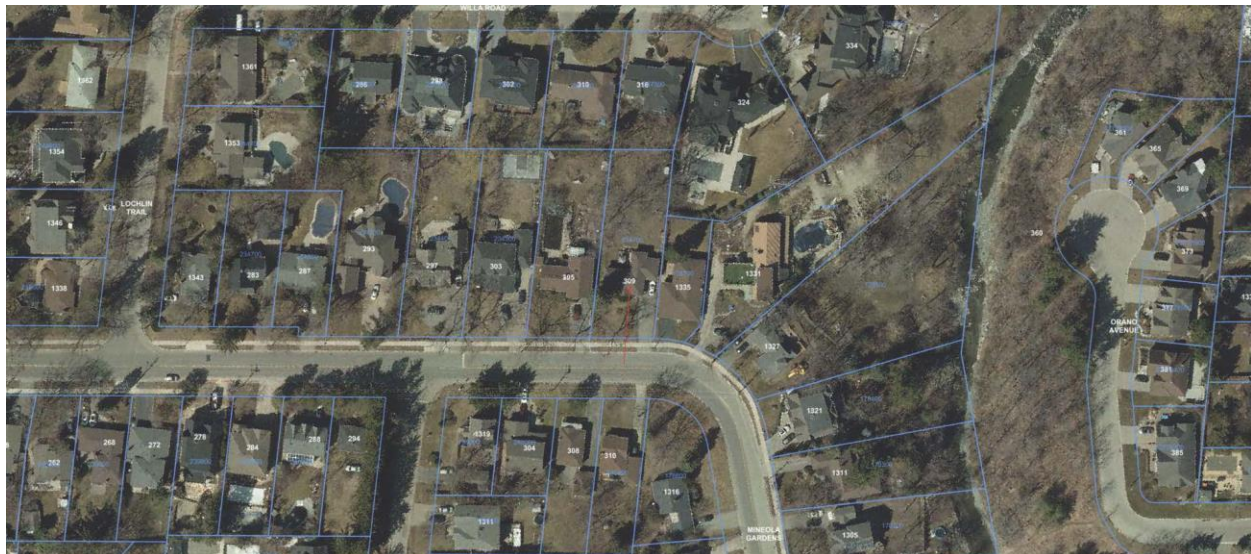
Zoning: R3-1 - Residential

Other Applications: Preliminary Zoning Review application under file PREAPP 22-1728 and BP 9NEW 23-6966.

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, east of the Broadmoor Avenue and Mineola Road East intersection. The immediate neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation and landscape elements in both the front and rear yards. The subject property contains a one-storey dwelling with vegetation in front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to side yard widths, lot coverage, gross floor area and eave 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 in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings.

The Committee deferred the above noted application on February 9th, 2023, to allow the applicant an opportunity to reduce the proposed gross floor area (GFA) and to verify the accuracy of the requested variances with Zoning staff.

Staff note that the applicant has submitted a revised proposal and verified the accuracy of the proposed variances with Zoning staff. The proposed GFA has been reduced from 532.41m² (5730.81ft²) to 456.69m² (4948.06ft²). The applicant has increased the combined side yard setbacks and eave height from 4.97m² (53.45ft²) to 5.59m (60.17ft²) and from 6.52m (70.18ft) to 6.62m (71.26ft). Variances for reduced side yard setback to the dwelling's eaves, accessory structure height and driveway width are no longer required.

Staff is of the opinion that variances #1, 2 and 3, as revised represent minor deviations from the regulations and are negligible.

With respect to variance #4, the proposed accessory structure area falls short of the maximum combined accessory structure area permitted. Further, no additional accessory structures are proposed. Lastly, the proposed structure does not require additional variances for height or setbacks which can have the effect of exacerbating its massing.

As such, the applicant has satisfied concerns identified in the first submission. Staff's opinion that the applicant's revised proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is 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 are being addressed by our Development Construction Section through Building Permit BP 9NEW23/6966.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 23-6966. Based on review of the information currently available in this application, the variances, as requested are correct.

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: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner