

City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A94.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 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 construction of a new dwelling proposing:

1. A combined side yard width of 7.55m (approx. 24.77ft) 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 81.75sq m (approx. 879.95sq 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 10.96m (approx. 35.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 26.11m (approx. 85.66ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. 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,
7. A gross floor area of 957.25 sq m (approx. 10303.75sq 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.

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

The above noted application was deferred on June 1, 2023, to allow the applicant an opportunity to revise the proposal to address concerns regarding number of garages, garage area, garage projection, dwelling depth, overall height, eave height and gross floor area.

Staff note that the applicant has revised the proposal and eliminated the overall height variance. Furthermore, the combined side yard width has increased from 7.1m (23.29ft) to 7.55m (24.77ft). The garage area and projection has decreased from 85.47m² (920m²) to 81.75m²(879.95ft²) and from 12.18m (39.96ft) to 10.96m (35.96ft). The applicant has also reduced the dwelling's depth from 28.85m (94.65ft) to 26.11m (85.66ft). Lastly, the gross floor area has been reduced from 1005.41m² (10,822.47ft²) to of 957.25m² (10303.7ft).

Staff is of the opinion that the revised proposal represents an improvement. However, Planning staff are still unable to support variances # 2, 3, 4, 5 and 6.

The intent in restricting garage projection and the overall number of garages is to ensure that the detached dwelling remains residential in nature. Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple or excessive garage faces of a dwelling from a streetscape perspective. The applicant is proposing two garages with increased areas and 10.96m (35.96ft) projections, where no garage projections are permitted. Furthermore, a large paved courtyard is proposed and will accommodate vehicular access to the garages. As such, staff is of the opinion that the residential nature of the dwelling is de-emphasized and that the dwelling is designed to emphasize these garages and automobile use. Furthermore, the proposed garages directly result in an additional variance for dwelling depth. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Planning staff are of the opinion that the requested dwelling depth is excessive and will pose significant massing concerns for adjacent properties. Furthermore, staff are of the opinion that variance #6, for increased eave height, will exacerbate the impact of the dwelling's depth and massing.

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

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

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner