

City of Mississauga Department Comments

Date Finalized: 2023-12-07	File(s): A479.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-12-14 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a house proposing a gross floor area of 454.75sq m (approx. 4894.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 425.95sq m (approx. 4584.89sq ft) in this instance.

Background

Property Address: 190 Kenollie Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4- Residential

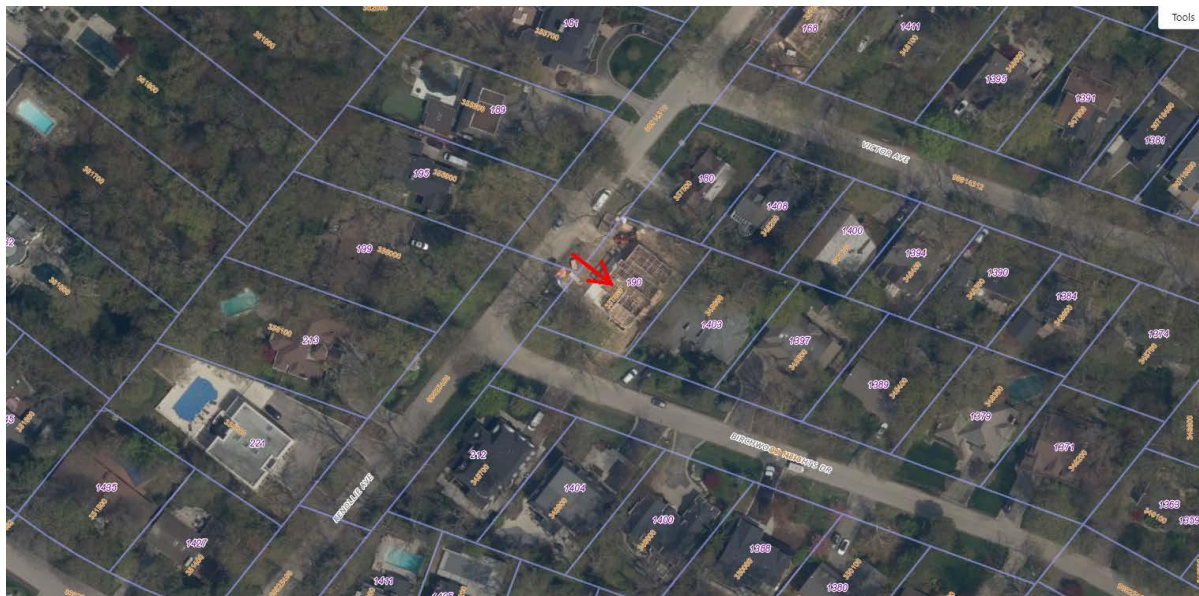
Other Applications:

Preliminary Application Meeting - PAM 20-317, Site Plan Infill – SPI 21 88, Tree Removal – TRP 21-123

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Hurontario Street and Mineola Road West. The neighbourhood is entirely low density residential, consisting of a range of detached dwellings, including one storey, one and a half storey and two storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property is under construction for a new two storey detached dwelling.

The applicant is proposing a new two storey dwelling requiring a variance related to gross floor 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, duplex dwellings.

The proposal under consideration has recently received variances under application A566.21 earlier this year. Notably, a variance granting a gross floor area of 425.95m² (4,584.89ft²) was approved, surpassing the permissible maximum of 379.58m² (4,085.77ft²). Planning staff

recommended deferral of the application due to reservations about the excessive gross floor area proposed. Staff expressed concerns that the proposed dwelling's size did not align with the character of the existing dwellings in the neighborhood and failed to preserve the neighborhood's character. Furthermore, the initial submission from the applicant only included a site plan and building elevation drawings, necessitating floor plan drawings for a more accurate assessment of the proposed variances.

In response to staff recommendations, the applicant is now suggesting an increase beyond the previously approved 425.95m² (4,584.89ft²), a size that had already been deemed excessive during application A566.21. Staff initiated communication with the applicant to address this request, and it was clarified that the additional gross floor area is attributed to the enclosure of a previously screened porch to create a new living room.

Given the recurring concerns articulated in staff comments from application A566.21 and the persistent deviation from the previously approved limits, staff reiterates their apprehensions and recommends the refusal of the current application. The proposal's enlargement beyond the initially approved size continues to raise compatibility issues with the surrounding neighbourhood and fails to address the character preservation concerns previously highlighted by Planning staff.

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 a 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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner