

City of Mississauga Department Comments

Date Finalized: 2024-01-17	File(s): A42.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-01-25 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 the construction of a new house proposing:

1. An interior side yard setback (east side) of 1.20m (approx. 3.94ft) whereas the By-law 0225-2007, as amended, requires an interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
2. A garage projection beyond the front wall of the dwelling of 1.70m (approx. 5.58ft) whereas the By-law 0225-2007, as amended, permits a garage projection of 0.00m in this instance;
3. A dwelling depth (above grade) of 24.00m (approx. 78.74ft) whereas the By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A dwelling depth (below grade) of 31.54m (approx. 103.48ft) whereas the By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
5. 2 kitchens whereas the By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
6. A dwelling height of 9.50m (approx. 31.17ft) whereas the By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance; and,
7. An eaves height of 7.12m (approx. 23.36ft) whereas the By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1168 Mona Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

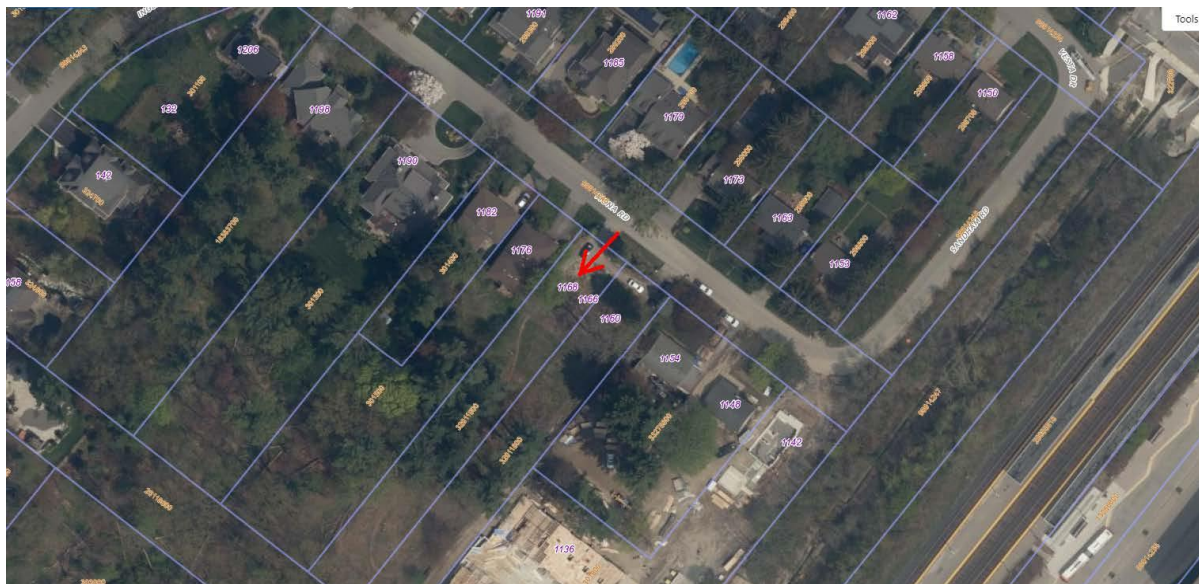
Zoning: R3-3- Residential

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 16th, 2021, the Committee approved the severance of 1166 Mona Road (A552/21) to create a new residential lot (the subject property).

The applicant is proposing a new two-storey detached dwelling requiring variances for interior side yard setback, garage projection, dwelling depth, number of kitchens, dwelling height and eaves 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 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 dwelling depth 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 overall depth. Staff are also concerned that the requested variances, particularly the height variances, may be inaccurate as they do not match the dimensions shown on the drawings provided. Staff have no immediate concerns with the remaining variances. As such, staff recommend 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 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

Minor Variance: A-24-042M / 1168 Mona Road

Development Engineering: Brian Melnyk (905)-791-7800 x3602

Comments:

- There is a Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.
- 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.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy **2.14.5** of the Regional Official Plan. Development and site alteration are prohibited in Core Areas of the Greenlands System (ROP 2.14.15), which is subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14. 17).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4 – Metrolinx

1168 Mona Road - A42.24

Metrolinx is in receipt of the Minor Variance application for 1168 Mona Rd to facilitate the construction of a new 2-storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

Conditions of Approval:

- 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 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 the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling 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, Project Analyst- Third Party Projects Review

Appendix 5- CVC

Please see below CVC comments for Minor Variance application regarding proposed works at the above-mentioned subject property:

CVC staff notes that a portion of the rear property is regulated due to flood hazard associated with Kenolli Creek; however the current proposal is outside the regulated area. As such, we have no objection. The applicant should be advised that for any future development at the back of the property, please contact CVC for further consultation.

Please feel free to contact me if you questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner