

City of Mississauga Department Comments

Date Finalized: 2024-03-01	File(s): A67.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-03-07 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. A lot coverage of 36% (251.00sq m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% (243.89sq m) in this instance;
2. A northwest side yard setback of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
3. A southeast side yard setback of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
4. A combined side yard width of 3.15m (approx. 10.33ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 4.94m (approx. 16.21ft) in this instance;
5. A building height to the highest ridge of 10.21m (approx. 33.50ft) whereas By-law 0225-2007, as amended, permits a maximum building height to the highest ridge of 9.00m (approx. 29.53ft) in this instance;
6. An eave height of 7.39m (approx. 24.25ft) 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 368.64sq m (approx. 3968.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 329.36sq m (approx. 3545.20sq ft) in this instance.

Background

Property Address: 513 Avonwood Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

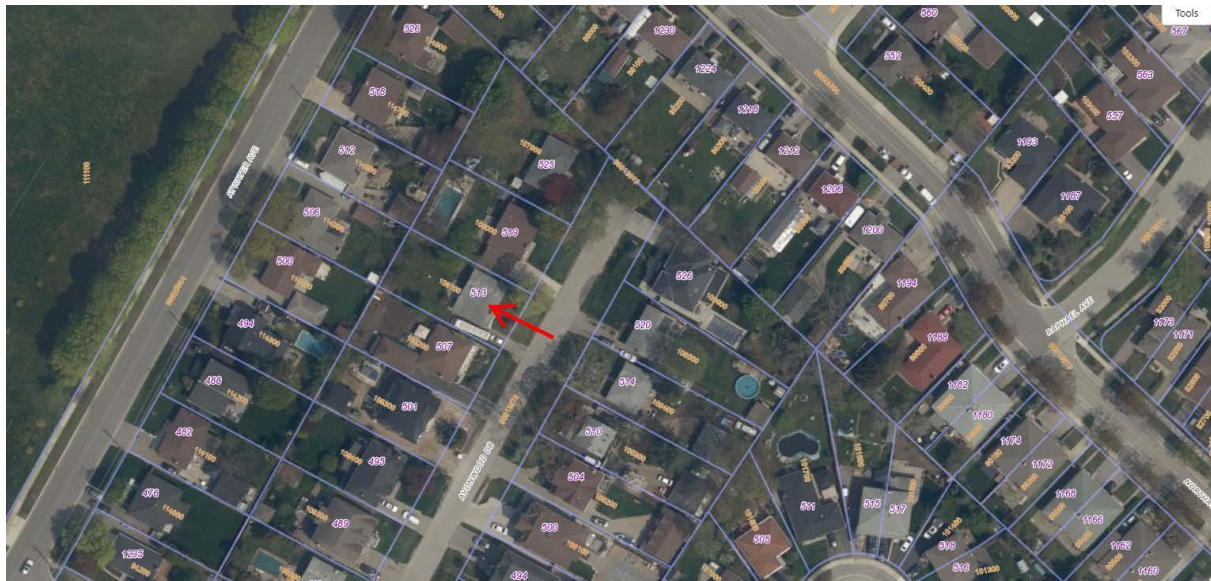
Zoning: **R3-1- Residential**

Planning Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Lakeshore Road East and Cawthra Road. The immediate neighbourhood is entirely residential consisting of an eclectic mix of new two storey detached dwellings and older one storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing to construct a new dwelling requiring variances related to lot coverage, setbacks, building height, eave height and 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 II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the proposed height variances are excessive and will cause significant massing issues that will directly impact adjacent properties and the established streetscape. Staff are of the opinion that the remaining variances will exacerbate these issues and facilitate the creation of a dwelling that does not meet the intent of the infill regulations, maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's existing character.

As such, staff recommend that the application be deferred to allow the applicant the opportunity to discuss the proposal with Planning staff and to redesign the proposed dwelling.

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 – Metrolinx

513 Avonwood Drive - A67.24

Metrolinx is in receipt of the Minor Variance application for 1513 Avonwood Dr to facilitate the construction of a new two-storey dwelling. Metrolinx's comments on the subject application are noted below:

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

Advisory Comments:

- 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

Appendix 4 – Metrolinx

Minor Variance/Consent: A-24-012M, B-24-004M, B-24-005M / 1829 and 1865 Lakeshore Road West

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

Comments:

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- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.
 - 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. Regional site servicing connection approvals are required prior to the local municipality issuing full building permit. 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.

Comments Prepared by: Ayooluwa Ayoola, Planner