

City of Mississauga Department Comments

Date Finalized: 2024-03-01	File(s): A466.23 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 Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, and condition, 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 house proposing:

1. A gross floor area (infill) of 386.73sq m (approx. 4162.72sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 346.09sq m (approx. 3725.28sq ft) in this instance;
2. A height to the top of the parapet of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and,
3. A soffit height of 7.17m (approx. 23.52ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1526 Garnet Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

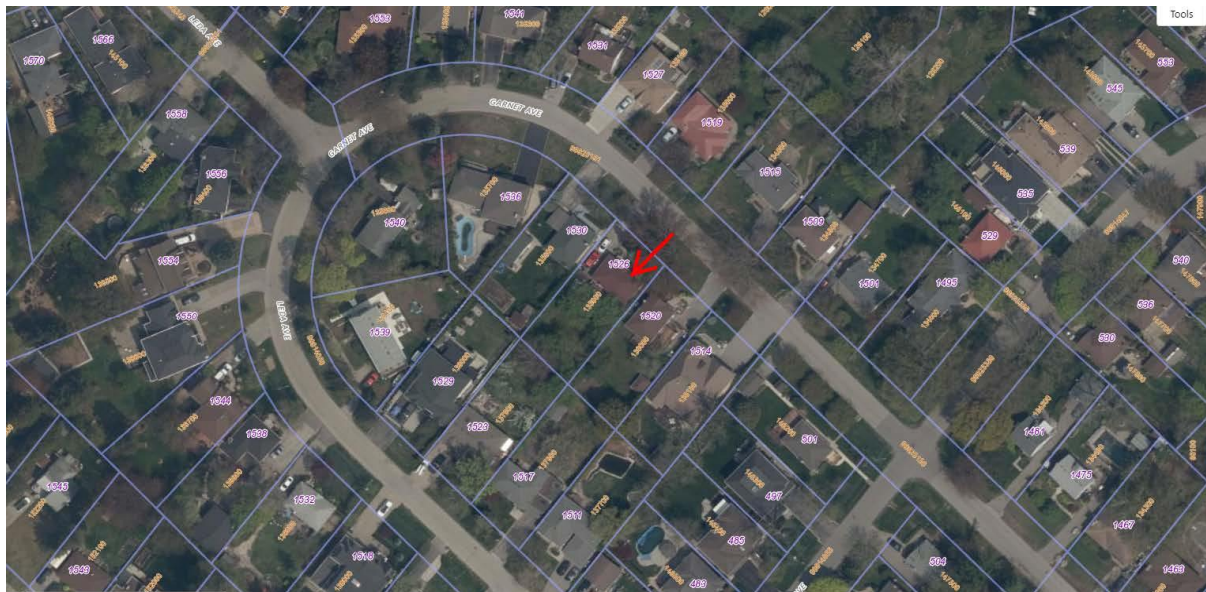
Zoning: **R3-1- Residential**

Other Applications:

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southeast of the Kenmuir Avenue and South Service Road intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requiring variances for gross floor area and heights.



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 located in the Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

It is staffs opinion that the gross floor area aligns with the new and existing character of detached dwellings found within the immediate area. As such staff has no concerns regarding Variance #1. Staff are also of the opinion that variances #2 and 3 represent minor deviations from the maximum requirements and meet the general intent and purpose of the zoning by-law, as the flat roof dwelling does not exceed two-storeys.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the consent 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 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

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner