

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A181.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 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. A height to the highest ridge of 11.31m (approx. 37.11ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance;
2. An eaves height of 7.75m (approx. 25.43ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A combined side yard width of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 7.41m (approx. 24.31ft) in this instance; and,
4. A residential infill gross floor area of 633.42sq m (approx. 6818.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 567.05sq m (approx. 6103.68sq ft) in this instance.

Background

Property Address: 159 Donnelly Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

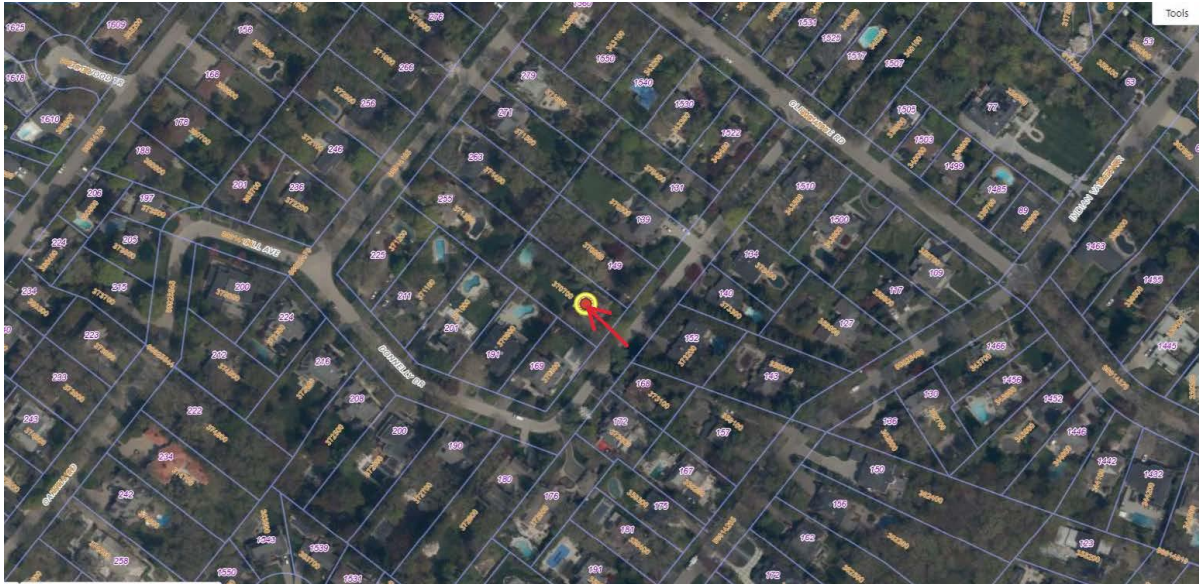
Zoning: **R2-4- Residential**

Other Applications: Building Permit application BP 9NEW 23-10692

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, northwest of the Glenburnie Road and Indian Valley Trail intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to construct a new two-storey dwelling requiring variances related to dwelling heights, side yard widths 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 I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

Planning staff are not supportive of variances #1, 2 or 4 for height to the highest ridge, eaves height and gross floor area. Staff note that these variances represent a significant departure from the maximum requirements. With respect to the height variances, staff note a 0.45m (1.48 ft) height discrepancy between average grade and finished grade. Regardless of this discrepancy, these variances are excessive and exacerbate the massing impact of the dwelling. Furthermore, the proposed heights and gross floor area do not maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's character.

Based on the preceding, Planning staff recommends that the applications be deferred for redesign.

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 Building Permit BP 9NEW-23/10692.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-10692. Based on the review of the information available in this application, the requested variances are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-181M / 159 Donnelly Drive

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

Comments:

- 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 will require the approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Ayooluwa Ayoola, Planner