

City of Mississauga Department Comments

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| Date Finalized: 2024-05-08 | File(s): A206.24 |
| To: Committee of Adjustment | Ward: 1 |
| From: Committee of Adjustment Coordinator | Meeting date:2024-05-16 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. An eave height of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
2. A driveway width of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 581 Lynd Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

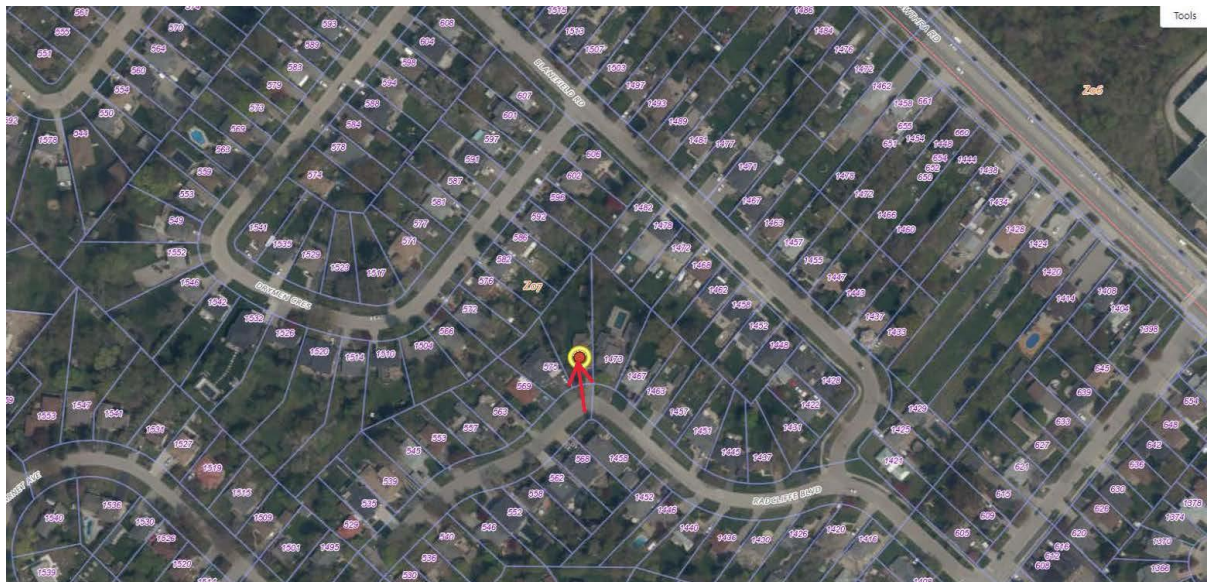
Zoning: R3-1- Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of the Cawthra Road and Arbor Road intersection. The neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a one-storey single detached dwelling with mature vegetation in the front yard.

The application proposes variances for eave height and driveway width to facilitate the construction of a new two-storey detached dwelling.



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 property is located in the Mineola Neighbourhood Character Area and is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole and will not negatively impact the character of the streetscape.

Variance #1 pertains to eave height. Planning staff have no concerns regarding this variance. The requested variance represents a minor increase over the maximum height regulation. Furthermore, staff note a 0.59m (1.94ft) height discrepancy between average and established grade. Therefore, when standing perpendicular to its façade, the proposed dwelling would appear 0.59 (1.94ft) shorter than the value of the variance. As such, if height was measured from established grade, no variance would be required. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as staggered walls, multiple rooflines, decorative columns and varying window shapes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

Variance #2 pertains to driveway width. Planning staff have no concerns regarding this variance as the width represents a minor increase and maintains the intent of the zoning by-law by allowing for a driveway width that can only accommodate two cars in width.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance 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 or 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, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

Minor Variance Application: A-24-206M / 581 Lynd Avenue
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.

Comments Prepared by: Petrele Francois, Junior Planner