

City of Mississauga Department Comments

Date Finalized: 2024-06-12	File(s): A270.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 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 below grade entrance facing a front/exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance facing a front/exterior side yard in this instance;
2. A dwelling depth of 20.72m (approx. 67.98ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A gross floor area of 340.40sq m (approx. 3664.07sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 326.40sq m (approx. 3513.37sq ft) in this instance;
4. An eave height of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
5. A flat roof height of 9.45m (approx. 31.01ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance; and,
6. An interior side yard setback (south side) of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback (south side) of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 504 Lynd Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

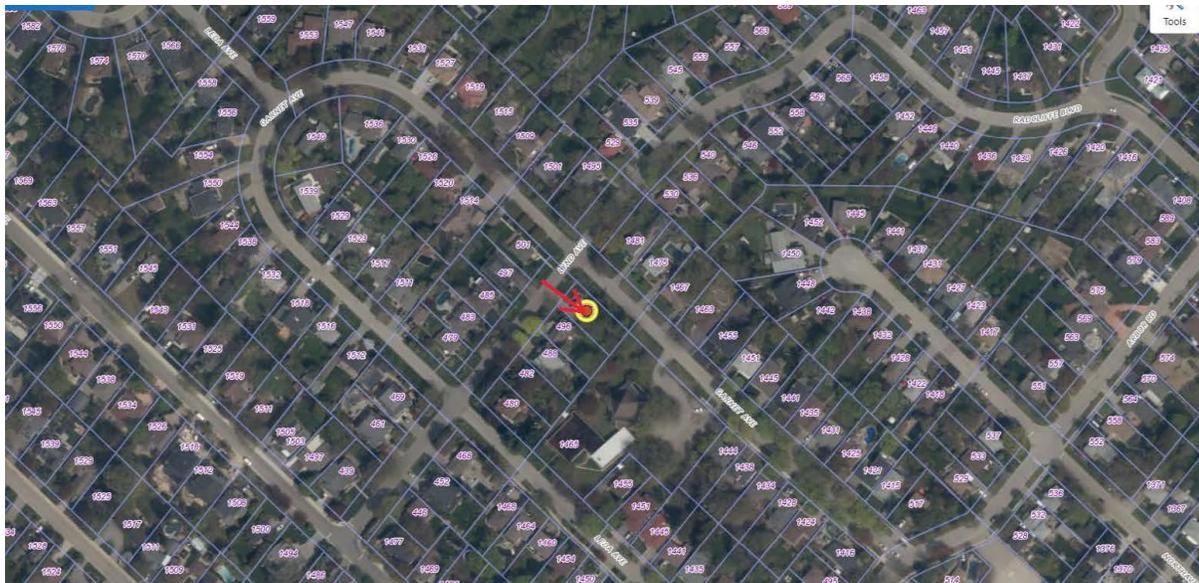
Zoning: R3-1-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest 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 vegetation in the front yard.

The application proposes variances for a below grade entrance, dwelling depth, gross floor area, eave height, flat roof height and interior side yard setback 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.

Planning staff are not supportive of variances #1, 4 or 5 for a below grade entrance, flat roof height and eave height. With respect to the below grade entrance, the applicant has not incorporated any features to screen the entryway in a manner to reduce its visibility from the street. With respect to the height variances, these variances are excessive and exacerbate the massing impact of the dwelling. Furthermore, the proposed heights do not maintain compatibility with 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 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: Brooke Herczeg, 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.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

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: A-24-270M / 504 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