

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A273.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 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 amended, 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 eaves height of 7.07m (approx. 23.20ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A building height of 9.53m (approx. 31.27ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and,
3. A dwelling depth of 21.93m (approx. 71.95ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Amendments

The applicant submitted a revised application and drawing package on June 21, 2024. Two additional variances are requested as follows:

4. A garage projection beyond the front wall of 0.41m (1.35ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m (0ft) in this instance;
5. A gross floor area (infill) of 370.52m² (3988.24ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill) of 331.92m² (3572.76ft²) in this instance

Background

Property Address: 1248 Minnewaska Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

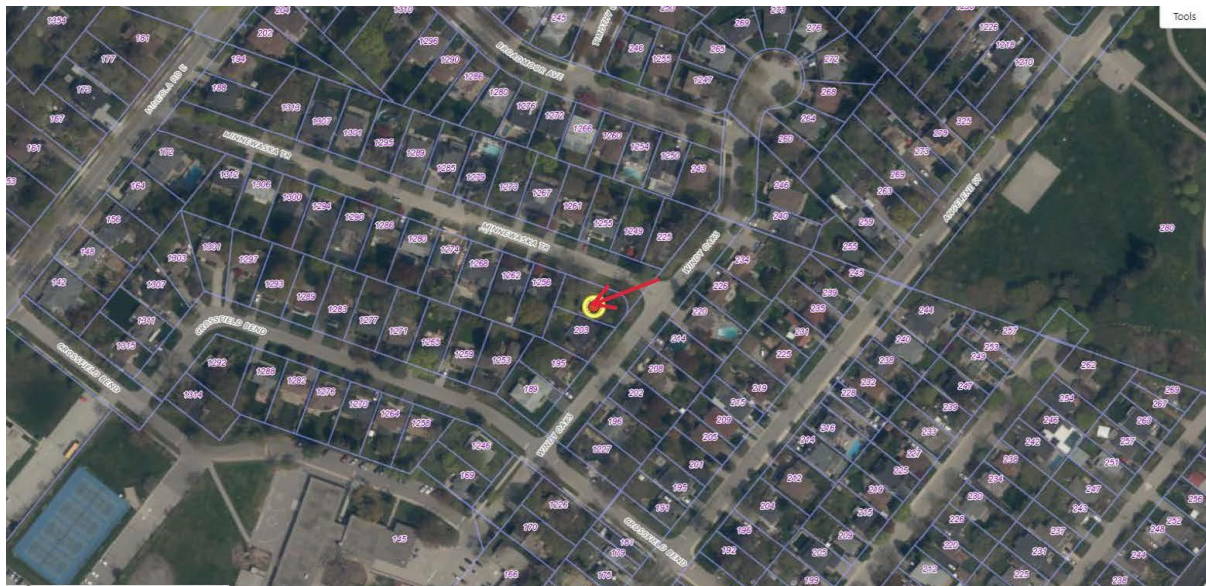
Zoning: R3-1-Residential

Other Applications:

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East intersection. The immediate neighbourhood is primarily residential, consisting of one and two storey-detached dwellings with mature vegetation and landscape elements in the front yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the exterior side yard.

The applicant is proposing a new two-storey detached dwelling requiring variances for eaves height, building height and dwelling depth.



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 dwellings.

Variance #1 and #2 pertain to eave height and building height. Planning staff have no concerns regarding this variance. The requested variances represent minor increases over the maximum height regulations. Furthermore, staff note that average grade sits approximately 0.42m to 0.62m (1.38ft to 2ft) lower than finished grade. Therefore, when standing on the front yard and viewing the dwelling, the height variances would appear 0.42m to 0.62m (1.38ft to 2ft) shorter than the value contained in the variances. 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 sizes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

Variance #3 pertains to dwelling depth. Planning staff are of the opinion that this variance is numerically minor and will have a negligible impact on the streetscape and adjacent properties. As noted above, 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 sizes.

Variance #4 is for garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the dwelling has been designed in a manor to project out the covered front porch to balance the garage projection. Staff are satisfied that this minimizes the impact of the garage projection, ensuring the garage is not the dominant feature of the dwelling.

Variance #5 is for gross floor area (infill). The proposed gross floor area represents a minor increase over the maximum gross floor area regulation. Furthermore, the proposed dwelling contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

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 and that 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: 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner