

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A277.24
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 eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. An accessory structure area of 17.18sq m (approx. 184.93sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 41.36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

Background

Property Address: 8 Wanita Road

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

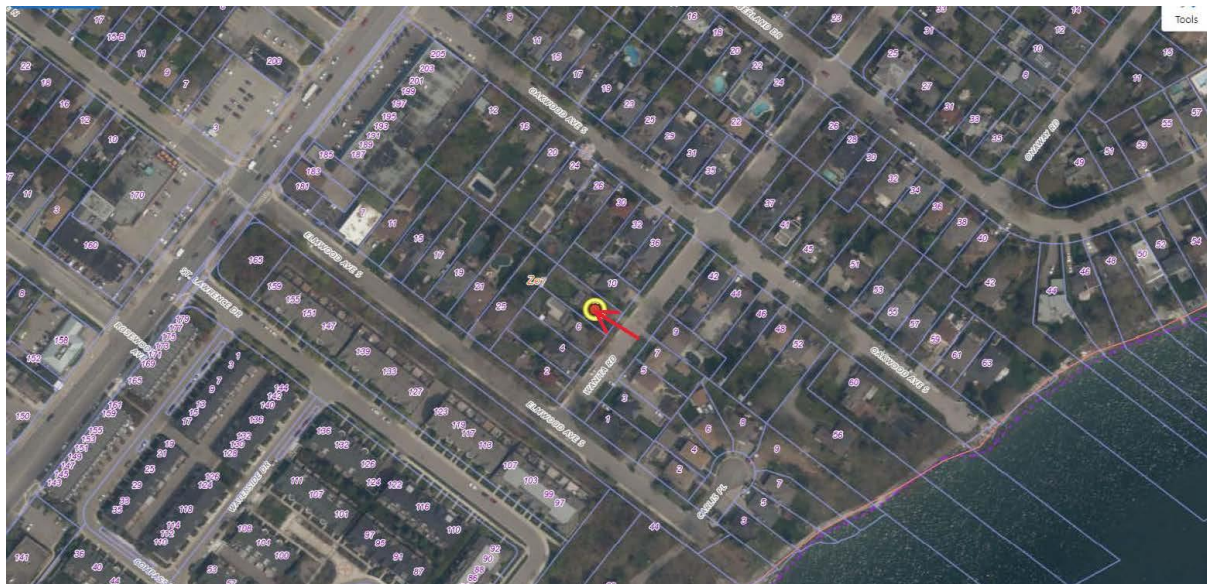
Zoning: R15-8-Residential

Other Applications: Building Permit application BP 9NEW 24-568 ARU

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, southwest of the Hiawatha Parkway and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential. The residential uses consist of one and two-storey detached dwellings on lots with mature vegetation in the front yard. 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 eave height, accessory structure area, number of kitchens and lot coverage.



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 Port Credit Neighbourhood East Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings.

Variance #1 is for eave height. Staff note that no variance for overall height is required. Furthermore, staff are satisfied that the proposed increase in height is appropriate for the subject property and note that average grade is 0.22m to 0.25m (0.72ft to 0.82 ft) below the finished grade, reducing the appearance of the dwelling's overall height by 0.22m to 0.25m (0.72ft to 0.82 ft).

Variance #2 is for accessory structure area. Staff note that while the proposed area of 17.18m² (184.93ft²) exceeds by-law area regulations for an individual accessory structure, the proposed area is within the maximum permissible combined area of 30m² (322.91ft²) and no additional variances structures are proposed. Furthermore, the structure is primarily open, reducing its massing impact.

Variance #3 as requested to permit a second kitchen. The applicant is proposing a spice kitchen which is attached to the primary kitchen. The intent of limiting the number of kitchens is to regulate the number dwelling units within a dwelling. It is noted that current regulations permit up to three dwelling units on the property. Recognizing the current regulations and the fact that no additional units are being proposed, staff have no concerns with the additional kitchen. Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #7 is for a lot coverage of 41.36%, where a maximum lot coverage of 40% is permitted. Planning staff are of the opinion that this increase is minor and negligible. Furthermore, 34.38% of the total coverage is attributable to the dwelling's footprint where the remaining coverage is for a porches, eaves and a cabana with little to no massing impact.

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/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/568.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-568 ARU. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrew Wemekamp. Zoning Plans 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