

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A616.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

## Application Details

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

1. A garage projection of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
2. A height of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.15m (approx. 7.05ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;
5. An eave height of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance; and
7. An eave encroachment of 0.72m (approx. 2.36ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0m in this instance.

## Amendments

**Amend:**

2. A height of 10.13m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.10m (approx. 6.88ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
5. An eave height of 7.19m (approx. 23.58ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A minimum setback to eaves on the west side of 1.40m (approx. 4.59ft) whereas By-law 0225-2007, as amended, requires a minimum setback to eaves of 2.41m (7.91ft) in this instance.

**Remove:**

6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance;

## Background

**Property Address:** 1439 Avonbridge Dr

**Mississauga Official Plan**

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

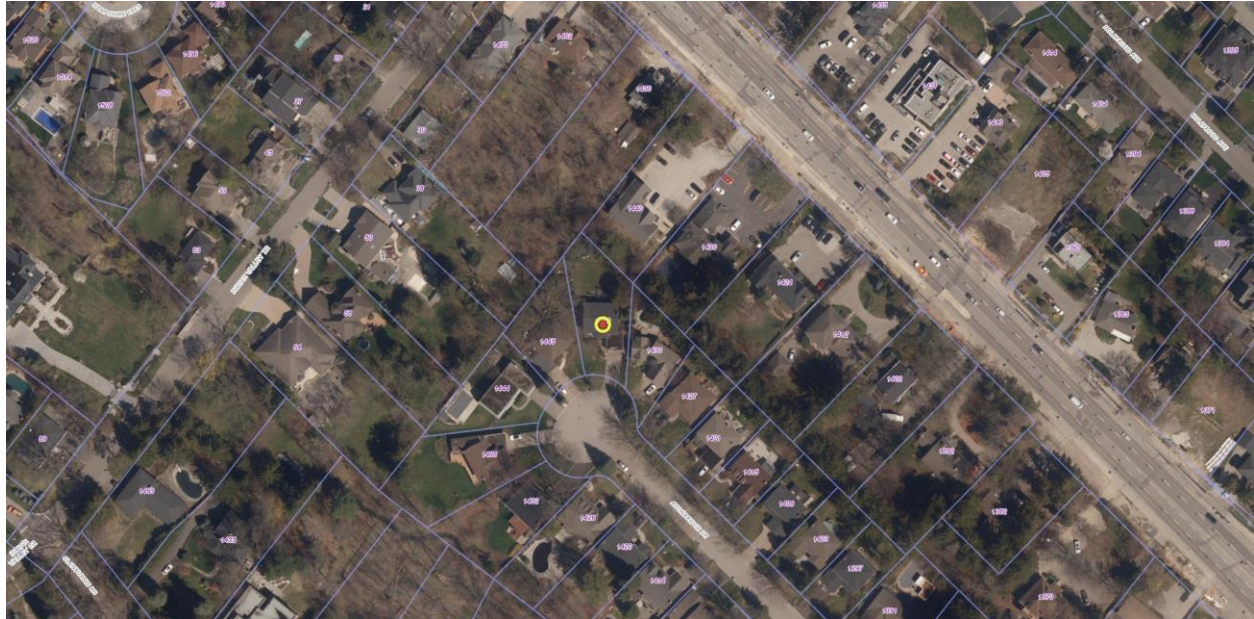
**Zoning By-law 0225-2007**

**Zoning:** **R2-1 - Residential**

**Site and Area Context**

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Pinewood Trail and Hurontario Street intersection. It has an approximate lot frontage of +/- 18.28m (59.97ft) and a lot area of +/- 1,017.90m<sup>2</sup> (3,339.56ft<sup>2</sup>). Currently the property contains an existing two-storey dwelling with limited vegetation in the front and side yards. The immediate neighbourhood is entirely residential, consisting primarily of one and two storey-detached dwellings on large lots with vegetation in the front yards.

The applicant is proposing to construct a new dwelling requiring variances related to a garage projection, dwelling height, side yard setbacks, and eaves height and setback.



## 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 of the four tests to this minor variance request are as follows:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located in the Mineola Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff are of the opinion that the proposed built form of the detached dwelling is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 pertains to 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 manner that projects the 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.

Variances #2 and #5 request an increase in the dwelling and eave height respectively. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the proposed increases in height are appropriate for the subject property and note that for portions of the property the average grade is below the finished grade by 1.04m (3.41ft), reducing the appearance of the overall height of the structure. Further, staff are of the opinion that incorporation of architectural features like varying materials, windows in the dwelling design, and decorative columns, further mitigates any massing impacts. Staff also acknowledge that based on a thorough review of the immediate neighbourhood and drawings provided, similar dwellings are common for in the immediate neighbourhood.

Variances #3 pertains to side yard setbacks measured to the second store. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note the reduction in the side yard setback is measured to the second storey and the eaves. The first storey meets the minimum individual side yard setback requirement, and the applicant is proposing to align the second storey on top of the first storey. Staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area and provide an adequate buffer.

Variance #4 pertains to the combined width of side yard setbacks. The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. The proposed dwelling provides adequate side yard setbacks for both the northernly and southernly side yards allowing for direct access to the rear yard, sufficient space to maintain the structure and provide the necessary drainage. Staff notes that the proposed setbacks meet the individual side yard setbacks required by the by-law.

Variances #5 requests a reduced side yard setbacks to the eaves of the second storey. The intent of the side yard regulations in the by-law is to ensure than an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note the reduction in the side yard setback is measured to the eaves and that the first storey meets the minimum indivial setback requirement. Staff are satisfied the proposed setbacks provide an adequate buffer between the massing of primary structures and have limited impacts on adjoining properties.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are satisfied that the proposal represents the appropriate development of the subject lands. It is staff's opinion that the proposal poses no massing concerns on abutting properties. Planning staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore, staff are of the opinion that the application proposes appropriate development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate



## 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-24/4423.

Comments Prepared by: John Salvino, Development Engineering Technologist



### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 24-4423.

Based on review of the information currently available for this building permit, the variances, as requested are correct:

1. A garage projection of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
4. A combined width of side yards of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;

Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

AMEND:

2. A height of 10.13m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.10m (approx. 6.88ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
5. An eave height of 7.19m (approx. 23.58ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A minimum setback to eaves on the west side of 1.40m (approx. 4.59ft) whereas By-law 0225-2007, as amended, requires a minimum setback to eaves of 2.41m (7.91ft) in this instance.

REMOVE:

6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance;

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: RAMSEN HEDOO

## Appendix 3 – Parks, Forestry & Environment

### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or 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 Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

### **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.
- 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 by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner



**Appendix 5 – Metrolinx**

Metrolinx is in receipt of the Minor Variance application for 1439 Avonbridge Drive to allow the construction of a new two-storey dwelling (the existing two-storey unit will be demolished), as circulated on January 9th, 2025, and to be heard at Public Hearing on February 13th, 2025, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hurontario LRT.

**HuLRT – ADVISORY COMMENTS**

- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the HuLRT will require approval and coordination with Metrolinx.
- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
- Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.
- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.

Should you have any questions or concerns, please contact [jenna.auger@metrolinx.com](mailto:jenna.auger@metrolinx.com).

Comments Prepared by: Jenna Auger, Third Party Project Review