

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2025-02-20 | File(s): A6.25 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2/27/2025 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. 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 detached dwelling proposing:

1. A gross floor area – infill residential of 371.61sq m (approx. 4000.00sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 329.35sq m (approx. 3545.09sq ft) in this instance; and
2. A height of eaves of 6.77m (approx. 22.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 18 Oriole Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

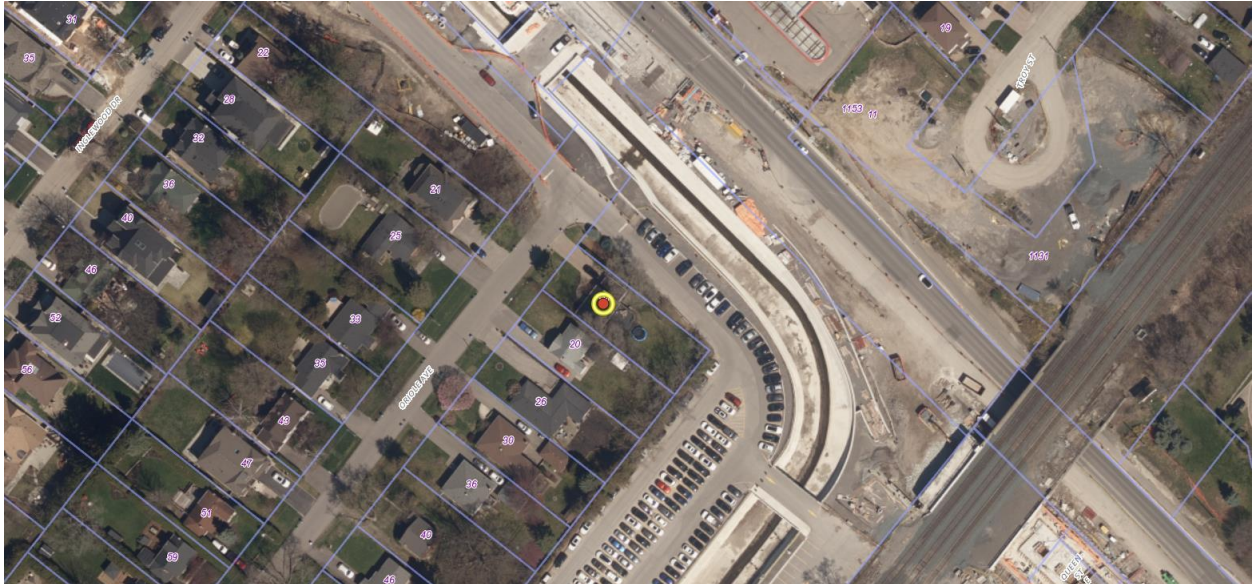
Zoning: R3-1-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and Inglewood Drive. The property has an approximate lot frontage of +/- 15.24m (50ft) and a lot area of +/- 696.77m² (2,285.99ft²). The subject property contains an existing two storey detached dwelling with an attached garage on the westerly side of the dwelling. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation in the front yard.

The applicant is proposing a new two storey detached dwelling requiring variances for GFA and eave height to facilitate the creation of the fourplex.



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 and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages. 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 compatible with the surrounding neighbourhood and will not pose negative impacts on the streetscape. Planning staff are of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 requests an increase in GFA from 329.35m² (approx. 3545.09ft²) to 371.61m² (approx. 4000.00ft²). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings ensuring that the existing and planned character of the neighbourhood is preserved. Staff notes that the proposed increase in GFA will facilitate the creation of a fourplex on this property. Staff note there is no variance requested for overall height and lot coverage of the dwelling thereby limiting any massing impacts. Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. Staff are of the opinion that increased GFA is in line with both the original and newer dwellings in the surrounding context. Staff note similar dwellings are present in the community. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Variance #2 is requests increase in eave height. The intent of restricting height to the eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the dwelling within human scale. The variance proposes an increase in eave height of 0.37m or 1.21ft. Planning staff have no concerns regarding this variance as the proposed increase is marginal. No overall height variance is 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 roof design, 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.

Given the above, Planning staff are satisfied that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood by maintaining the planned character of the neighbourhood. Staff are of the opinion that the application represents orderly development of the lands and is minor in nature.

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 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: Emily Majeed, Planner-in-Training

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.

An 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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel 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 servicingconnections@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 servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 5 – Metrolinx

- The subject property is located within 300m, adjacent to, the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The subject property is located within 60m, adjacent to, the Metrolinx Hurontario LRT.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit: • **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

HuLRT – CONDITIONS OF APPROVAL

- The proximity of the proposed development lands municipally described as "18 Oriole Avenue" (the "**Development**"), to the Metrolinx "Hazel McCallion LRT Corridor" LRT works, and "Port Credit" Stop infrastructure, may result in noise, vibration, electromagnetic interference, stray current, smoke and particulate matter, transmissions (collectively referred to as "**Interferences**") to the Development;

- It has been advised by Metrolinx to apply reasonable attenuation/mitigation measures with respect to the level of the Interferences on and in the Development;
- A Metrolinx Interferences Warning clause, as provided below and satisfactory to Metrolinx has been, or shall be inserted into all rental agreement(s), and/or offers of purchase and sale or lease and condominium declaration(s) for individual lots, blocks or units of the Development: o *“The Purchaser and/or Lessee acknowledges and agrees that the proximity of the lands municipally described as “18 Oriole Avenue” (the “Development”) to Metrolinx transit operations may result in noise, vibration, electromagnetic interference, stray current, smoke and particulate matter, transmissions (collectively referred to as “interferences”) to the Development and despite the inclusion of control features within the Development, Interferences from transit operations may continue to be of concern, occasionally interfering with some activities of the occupants in the Development. The Purchaser and/or Lessee acknowledge and agree that an electromagnetic, stray current and noise-warning clause similar to the one contained herein shall be inserted into any succeeding lease, sublease or sales agreement, and that this requirement shall be binding not only on the parties hereto but also their respective successors and assigns and shall not die with the closing of the transaction.”*

HuLRT – ADVISORY COMMENTS

- 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.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review