

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-05-01	File(s): A72.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/8/2025 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 dwelling proposing:

1. A gross floor area – infill residential of 398.65sq m (approx. 4,291.03sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 343.46 sq m (approx. 3,696.97sq ft) in this instance;
2. A height of eaves of 6.78m (approx. 22.24ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A combined width of side yards of 3.99m (approx. 13.09ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 1578 Kenmuir Ave

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density II

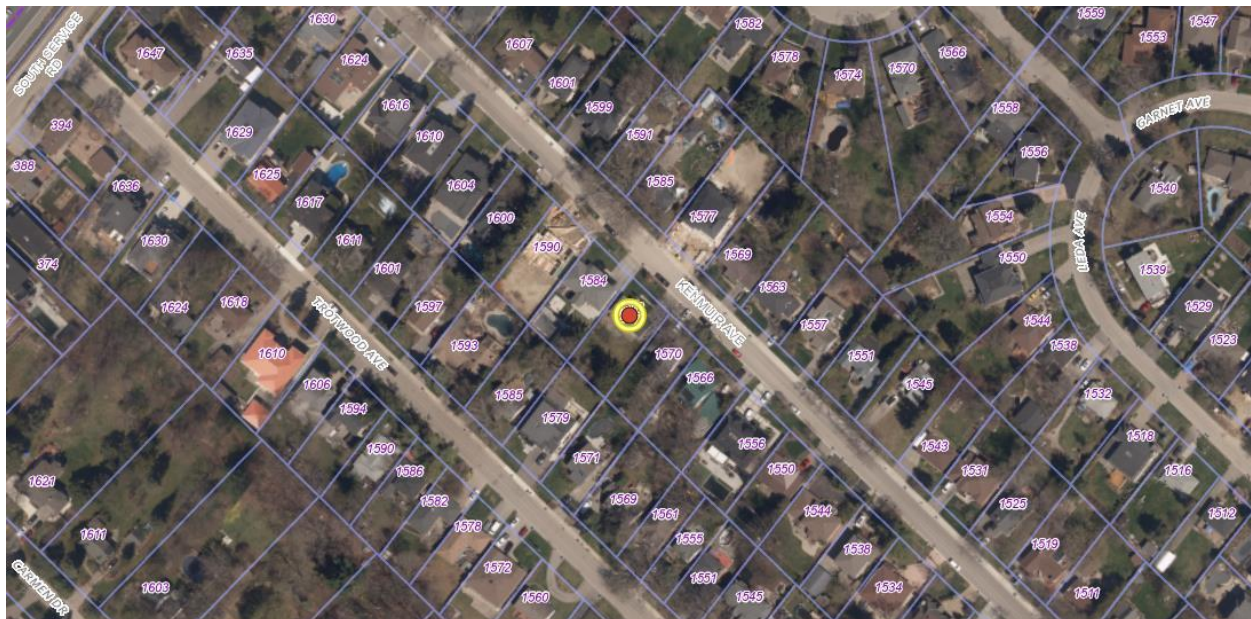
Zoning By-law 0225-2007

Zoning: R3-1-Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of the Cawthra Road and South Service Road intersection. The neighbourhood is entirely residential, consisting of one and older/newer two storey detached dwellings with mature vegetation. The subject property contains an existing one-storey dwelling with an attached garage along with limited mature vegetation in both the front and rear yard.

The applicant is proposing a new two-storey detached dwelling requesting variances for gross floor area, eave height and combined width of sideyards.



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 Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings only.

The application requests variances for gross floor area (GFA), eave height and combined width of side yards.

Staff have concerns about the requested increase in the GFA.

The intent in restricting GFA is to maintain compatibility between existing and new dwellings, ensuring the existing and planned character of a neighbourhood is preserved and to lessen the visual massing of the dwelling. While larger homes are not out of character in the neighbourhood, staff are of the opinion that the proposed GFA is excessive and not consistent with the neighbourhood. Staff note that the proposed GFA in this instance represents a significant departure from the maximum permission under the zoning by-law, which posing significant massing impacts to adjacent properties and the streetscape.

When combined with the request to reduce the combined width of side yards, the impacts to the streetscape and abutting properties are exacerbated.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling and reduce the proposed GFA to better align with neighbouring dwellings.

Comments Prepared by: Shivani Chopra, 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: Ladan Javanbakht-Samani, Zoning Examiner

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:

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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

Minor Variance Application: A-25-072M / 1578 Kenmuir Avenue

Development Engineering: Sabrina Martins (sabrina.martins@peelregion.ca)(905) 791- 7800 x3094

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner