

City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A445.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 1:00:00 PM

Consolidated Recommendation

The City recommends 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 a gross floor area-infill residential of 481.03sq.m (approx. 5177.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area-infill residential of 439.34 sq.m (approx. 4729.01sq.ft) in this instance.

Background

Property Address: 185 Briarhill Drive

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2-Residential

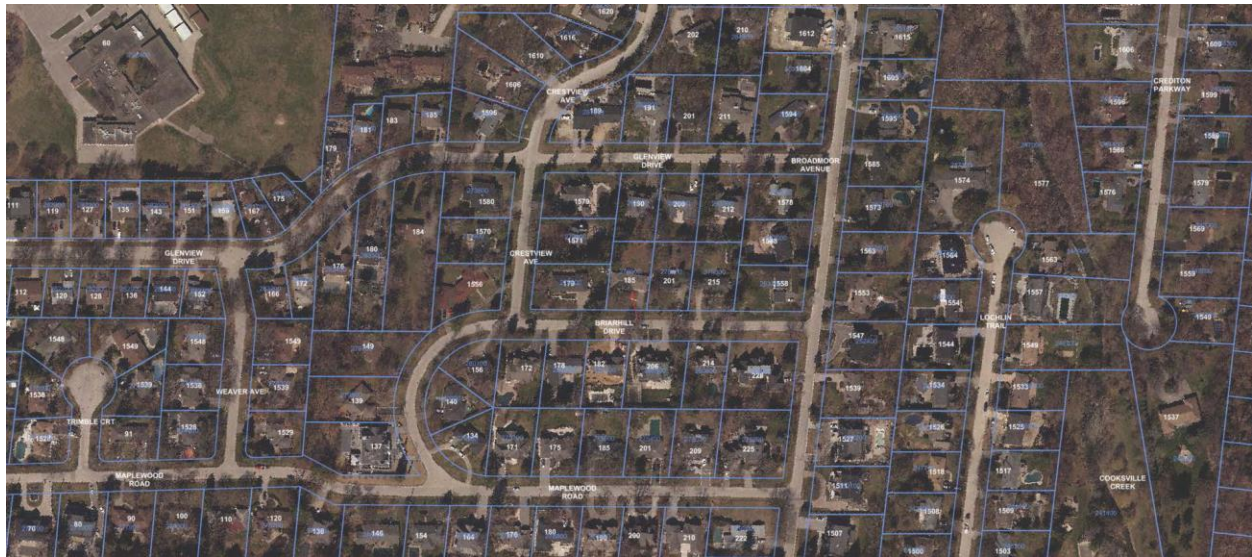
Other Applications: SPI 22-72, PAM 22-162

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and the Queen Elizabeth Way. The immediate neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation in both

the front and side yards. The subject property contains a one-storey dwelling with mature vegetation in the property's front and rear yards.

The applicant is proposing a new two-storey dwelling requiring a variance related to gross floor area-infill residential.



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 I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings.

City Council passed a City-initiated zoning by-law amendment on August 10th 2022. The zoning by-law amendment revised the definition of gross floor area (GFA) – infill residential, to include the area of “void in a floor”. Further, Subsection 4.1.22 was added to Section 4.1 to allow applicants up to a maximum reduction of 10% to account for the area of void in a floor. Any additional void in the floor area that exceeds 10% is now included in the overall calculation of maximum GFA - infill residential.

Despite the effect of Subsection 4.1.22 on the calculation of GFA, staff is of the opinion that the GFA proposed is excessive, out of character with the area, and will add to the overall massing of

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the dwelling. Furthermore, there is significant open to below space within the dwelling that adds to the overall massing of the structure.

Staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling.

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 are being addressed through the Site Plan approval process, SP-22/072.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-72 W1. Based on review of the information currently available in this permit 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.

Please note that comments reflect those provided through the above permit application submitted on 06/21/2022 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner