

# City of Mississauga Department Comments

Date Finalized: 2022-11-09	File(s): A246.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-11-17 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 requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

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

1. A combined width of the two points of access of a circular driveway of 9.82m (approx. 32.22ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance;
2. A lot coverage of 28.86% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height to the highest ridge of 10.91m (approx. 35.79ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 1.50m (approx. 4.92ft) in this instance; and,
4. A driveway width at the widest arc of 8.19m (approx. 26.87ft) whereas By-law 0225-2007, as amended, permits a driveway width at the widest arc of 6.00m (approx. 19.69ft) in this instance.

## Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law; staff recommend that variance #3 should be amended as follows and that variance #4 be deleted.

3. A height to the highest ridge of 10.91m (approx. 35.79ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 10.7m (approx. 35.10ft) in this instance;

## Background

**Property Address:** 2565 Liruma Rd

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R1-34 - Residential

**Other Applications:** none

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, south of the Dundas Street West and Liruma Road intersection. The immediate area consists of residential, industrial-commercial and institutional uses. The residential uses consist of a mix of older and newer one and two-storey detached dwellings on larger lots with mature vegetation in the front yards. Specifically, the industrial-commercial uses are located along Dundas Street West, while institutional uses are located east and west of the subject property. The subject property contains an existing two-storey detached dwelling with limited vegetation in the front yard.

The applicant is proposing a new detached dwelling requiring variances related to combined width of access points of a circular driveway, lot coverage, height, and driveway width.



## 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 Committee of Adjustment deferred the above noted application on May 19<sup>th</sup>, 2022, to allow the applicant an opportunity to reduce the number of garages proposed and to redesign the driveway and walkway.

The applicant has since revised the proposal by eliminating the additional garage, driveway coverage and walkway attachment variances. The applicant has also reduced the combined width of the two points of a circular driveway from 10.43m (34.22ft) to 9.82m (32.22ft). Lastly, the applicant has added two new variances pertaining to dwelling height (variance #3) and driveway arc width (variance #4). Staffs comments on these variances are as follows:

Variance #3 pertains to dwelling height. The intent of restricting height to the highest ridge and 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 will keep the dwelling within human scale. Staff note that there is a 0.66m discrepancy between average grade and the grade where the attached garage sites. Therefore, when viewing the dwelling from the street, the overall height of the dwelling (to the highest ridge) would appear to be 10.25m (33.62ft), which is significantly below the maximum height permitted. Furthermore, the dwelling's overall height is a minor deviation from the permitted maximum and is therefore negligible.

Variance #4 pertains to driveway arc width. Planning staff have discussed the requested variance staff, are of the opinion that the variance requested is incorrect, and is not required. The applicant may wish to defer the application to ensure no additional variances are required to accommodate the proposed driveway.

Through a detailed review of the application, staff is 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 through the future Site Plan/Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

Comments provided for the 2022/04/11 meeting remain applicable.

Previous Comment:

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

Furthermore, we note that a Building Permit is required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Amy Campbell, Planner-in-Training

### Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner