

City of Mississauga Department Comments

Date Finalized: 2023-10-18	File(s): A216.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-10-26 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 that all required variances have been accurately identified.

Application Details

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

1. A gross floor area of 316.97sq m (approx. 3411.83sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 282.29sq m (approx. 3038.54sq ft) in this instance;
2. A lot coverage of 37.45% (172.81sq m (approx. 1860.11sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (161.50 sq m (approx. 1738.37sq ft)) in this instance;
3. A side yard setback of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An underside of eaves height for the main house of 6.84m (approx. 22.44ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
5. An underside of eaves height for the feature wall staircase of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1182 Canterbury Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II
Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: Building Permit under file BP 9NEW 23-6382.

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southeast of the Mineola Gardens and Atwater Avenue intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front and exterior side yards.

The applicant is proposing a new two-storey detached dwelling requiring variances for lot coverage, gross floor area, eave height and a side yard 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 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). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

The application was deferred by the Committee of Adjustment on August 17th, 2023, to allow the applicant an opportunity to redesign the proposed detached dwelling to reduce the proposed gross floor area and lot coverage.

The applicant has revised the proposal by reducing the proposed gross floor area from 346.56m² (3730.34ft²) to 316.97m² (3411.83ft²) and lot coverage from of 40.57% to 37.45%. By reducing the lot coverage, the side yard setback variance has increased from 3.59m (11.78ft) to 4.50m (14.76ft). Variances #4 and 5 contain the same values as the first submission.

Variance #1 pertains to gross floor area. Staff are of the opinion that the proposed dwelling is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character.

Variance #1 relates to lot coverage. Staff has evaluated the lot coverage breakdown provided and are of the opinion that the proposal does not represent an overdevelopment of the property.

Variances #4 and 5 are for eave height. Staff are of the opinion that variance #4 represents a minor deviation from the regulation and that variance #5 is to an architectural feature, therefore both variances will not pose massing concerns.

Staff is of the opinion that the revised proposal is sympathetic to the surrounding area and does not impact the neighbouring properties or streetscape. Through a detailed review of the application, staff is of the opinion that the revised 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 dwelling are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/6382.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 23-6382. 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 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: Gary Gagnier; Zoning Examiner

Appendix 3 – Metrolinx

1182 Canterbury Road - A216.23 - DEFERRED

Metrolinx is in receipt of the minor variance application for 1182 Canterbury Rd to facilitate the construction of a new two-storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

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 Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner