

City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A258.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 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 a dwelling proposing:

1. A lot coverage of 37.30% (229.47sq m (approx. 2469.99 sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (215.00sq m (approx. 2314.24sq ft)) in this instance;
2. A sloped height of 9.61m (approx. 31.53ft) whereas By-law 0225-2007, as amended, permits a maximum sloped height of 9.50m (approx. 31.17ft) in this instance;
3. A left side yard setback of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
4. A right side yard setback of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
5. A combined side yard setback of 3.10m (approx. 10.17ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 4.20m (approx. 13.78ft) in this instance;
6. A garage projection of 1.99m (approx. 6.52ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0.00m in this instance; and,
7. A driveway width of 7.97m (approx. 26.15ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1584 Holburne Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, southwest of the Dixie Road and Queen Elizabeth Way overpass. The immediate area is residential consisting of detached dwellings on lots with mature vegetation in the front and side yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application is for a new two-storey detached dwelling requiring variances for lot coverage, height, setbacks, garage projection 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 of the four tests to this minor variance request are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

The application was deferred by the Committee on August 17, 2023 to provide the applicant an opportunity to address concerns raised by Planning staff. Notably, staff identified issues related to variances for lot coverage (variance #1), garage projection (variance #6), and driveway width (variance #7).

The applicant has provided a revised proposal. Staff note the exclusion of the proposed front porch and rear porch from the calculation of lot coverage. This exclusion raises doubts regarding the accuracy of variance #1.

Staff discussed a revised driveway configuration with the applicant, however, the latest set of drawings does not align with the agreed-upon layout. As such, staff remains concerned regarding variance #7 with respect to driveway width.

Furthermore, in discussions following the previous deferral, the applicant committed to introducing additional design features to the dwelling's facade, such as windows, to alleviate concerns regarding the garage projection. These features were not incorporated in the latest submission.

Based on the concerns noted above, Planning staff recommends that the application be deferred to allow the applicant an opportunity to revise the proposal and to review the requested variances with zoning staff to confirm their accuracy and to determine if additional variances are required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We have no concerns with the proposed widened driveway. The advise that the applicant will be required to apply for Access Modification Permit prior to any boulevard disturbance.

We also advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. Should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

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: Minan Song, Planner in Training

Appendix 3- Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner