

# City of Mississauga Department Comments

Date Finalized: 2024-01-17	File(s): A43.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-01-25 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 house proposing:

1. A walkway attachment width of 1.83m (approx. 6.00ft) whereas the By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
2. A combined side yard width of 19% (5.25m) whereas the By-law 0225-2007, as amended, requires a minimum combined side yard width of 27% (7.37m) in this instance;
3. A lot coverage of 36.14% (447.67sq m) whereas the By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (309.67sq m) in this instance;
4. An eaves height of 7.09m (approx. 23.26ft) whereas the By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A gross floor area (infill residential) of 513.42sq m (approx. 5526.41sq ft) whereas the By-law 0225-2007, as amended, permits a maximum gross floor area of 437.74sq m (approx. 4711.79sq ft) in this instance; and,
6. A garage projection of 0.51m (approx. 1.67ft) whereas the By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

## Background

**Property Address:** 178 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:** Building Permit process BP9 NEW-23/7167.**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 vegetation in the property's front and rear yards.

The applicant is proposing a new two-storey dwelling requiring variances related to walkway width, combined side yard width, lot coverage, gross floor area, eave height and garage projection.

**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 on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings.

Planning staff have identified concerns regarding variances #3 and 5, relating to lot coverage and gross floor area.

In this instance, the applicant is proposing a lot coverage that represents a significant deviation from the regulation. Furthermore, the proposed dwelling's building footprint alone exceeds the maximum permitted lot coverage. As such, staff are concerned that the proposal represents an overdevelopment of the subject property. While larger dwellings are not out of character within the surrounding area, staff are also of the opinion that the proposed gross floor area (GFA) is excessive. The proposed gross floor area will create a dwelling that does not meet the intent of the infill regulations, maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's existing character. Staff are also of the opinion that the proposed dwelling will cause significant massing issues that will directly impact neighbouring properties.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to redesign the proposal to address concerns identified above.

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 by our Development Construction Section through the Building Permit process BP9 NEW-23/7167.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 23-7167. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

Please note that comments reflect those provided through the above application submitted on 11/24/2023. These comments may no longer be valid should there be changes contained within

this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

### **Appendix 3 – Region of Peel**

#### **Minor Variance: A-24-043M / 178 Briarhill Drive**

Development Engineering: Brian Melnyk (905)-791-7800 x3602

#### **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 [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@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 [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner