

City of Mississauga Department Comments

Date Finalized: 2024-04-10	File(s): A172.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-04-18 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 dwelling depth of 21.95m (approx. 72.01ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
2. A flat roof height of 10.33m (approx. 33.89ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
3. A height to the underside of the eaves of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A side yard measured to a balcony of 2.15m (approx. 7.05ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a balcony of 2.41m (approx. 7.91ft) in this instance;
5. 2 walkways from a driveway whereas By-law 0225-2007, as amended, permits a maximum of 1 walkway from a driveway in this instance;
6. A walkway width of 3.10m (approx. 10.17ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
7. A walkway width of 3.50m (approx. 11.48ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance; and
8. A driveway width of 15.75m (approx. 51.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1402 Indian Grove

Mississauga Official Plan

Character Area: **Clarkson-Lorne Park**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

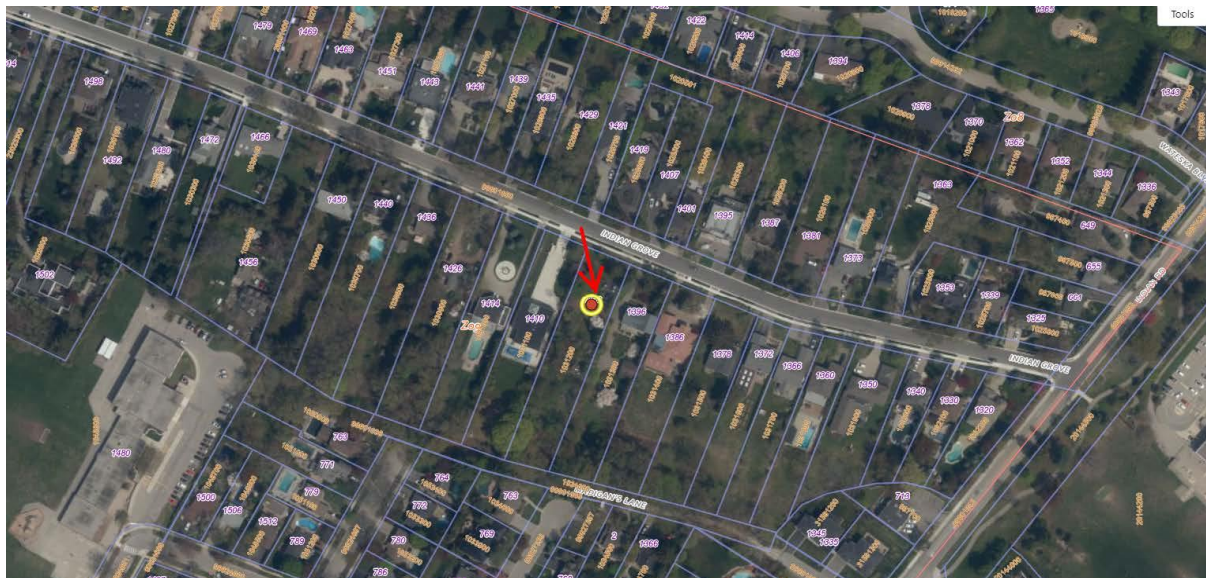
Zoning: **R2-4 - Residential**

Other Applications: **Building Permit application 24-341**

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the South Sheridan Way and Mississauga Road intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to construct a new two-storey dwelling and requests variances related to dwelling depth, flat roof height, eave height, setbacks, walkways 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 subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

Planning staff are not supportive of variances #2 and 3 for flat roof and eave heights. These variances are excessive and exacerbate the massing impact of the dwelling. Furthermore, the proposed heights do not maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's character.

Planning staff are also of the opinion that the walkway widths proposed in variances #6 and 7 represent a significant departure from the maximum width requirement. Lastly, Planning staff are unable to locate variance #8 on the drawings submitted and therefore are unable to determine if it meets the requirements set under section under 45(1) in the *Planning Act*.

Based on the preceding, Planning staff recommends that the applications be deferred.

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, File BP 9NEW 24/341.

Our Development Construction Section advises that the additional surface drainage that will be created by the increased hard surface driveway area must be accommodated via the proposed side swales along the property limits. This will be enforced through their review of the Building Permit application once submitted.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-341. Based on review of the information available in this 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 application. 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-172M / 1402 Indian Grove

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.

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- 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.
- 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.

Comments Prepared by: Ayooluwa Ayoola, Planner