

City of Mississauga Department Comments

Date Finalized: 2024-04-10	File(s): A43.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-18 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.

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 30.29% (375.29sq 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 of 479.42sq m (approx. 5160.48sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 437.74sq m (approx. 4711.83sq ft) in this instance; and,
6. A garage projection of 0.00m whereas the By-law 0225-2007, as amended, permits a maximum garage projection of 0.51m (approx. 1.67ft) 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

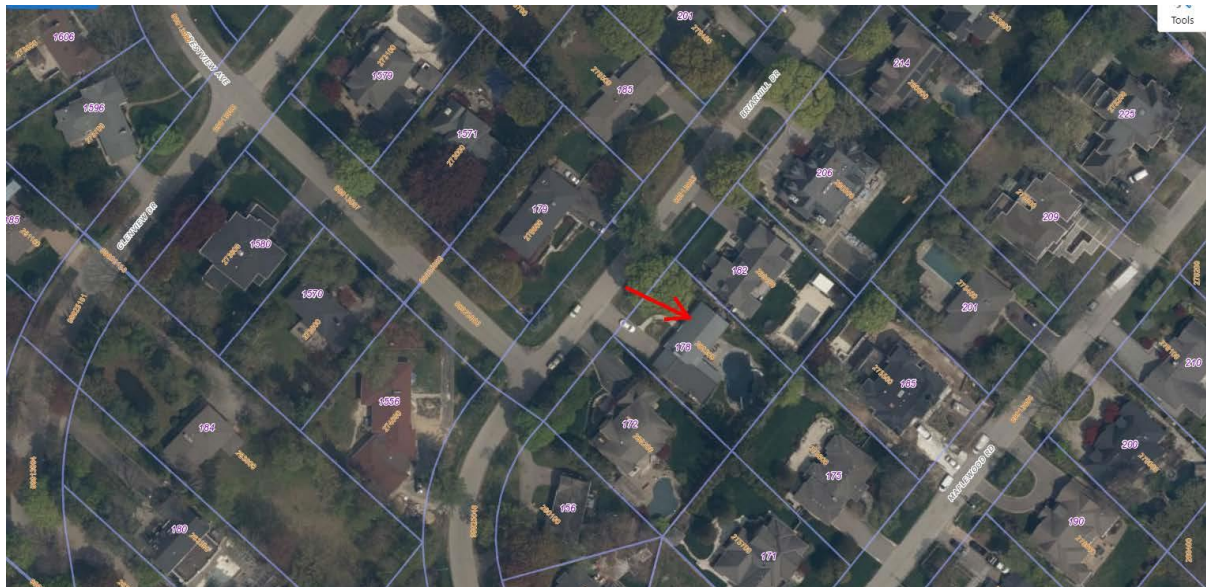
Zoning: **R1-2- Residential**

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 request are as follows:

The application was deferred by the Committee on January 25, 2024. In their comments, staff identified concerns with the proposed lot coverage and gross floor area variances.

In response, the applicant has adjusted the proposal and provided additional clarifications to staff. A reduction in lot coverage is proposed, from 36.14% to 30% where a maximum lot coverage of 25% is permitted. A reduced gross floor area is also proposed, from 513.42m² (5526.41 ft²) to 479.42m² (5160.43ft²), where a maximum gross floor area of 437.74m² (4711.79ft²) is permitted.

Planning staff are satisfied that these adjustments have addressed their concerns regarding overdevelopment, compatibility, and massing. Staff has no concerns regarding the remaining variances, as these are minor and reflective of existing developments found in the immediate area.

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 proposed dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 23/7167.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-7167. Based on the review of the information available in this application, the following requested variances are correct:

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;
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. 5526.45sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 437.74sq m (approx. 4711.83sq 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.

We also advise that more information is required to verify the accuracy of the requested remaining lot coverage variance or determine whether additional variances will be required.

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

Please apply previous comments

Comments Prepared by: Ayooluwa Ayoola, Planner