

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-02-24	File(s): A30.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-03-04 1:00 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 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 detached garage proposing:

1. A lot coverage of 44.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A rear yard measured to a garage of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a garage of 0.61m (approx. 2.00ft) in this instance;
3. A side yard of 3.10m (approx. 10.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m (approx. 19.68ft) in this instance; and
4. A setback measured to the face of the garage of 3.10m (approx. 10.17ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to the face of the garage of 6.00m (approx. 19.68ft) in this instance.

## Background

**Property Address:** 1047 Ogden Avenue

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

## Zoning By-law 0225-2007

**Zoning:** R3-75 (Residential)

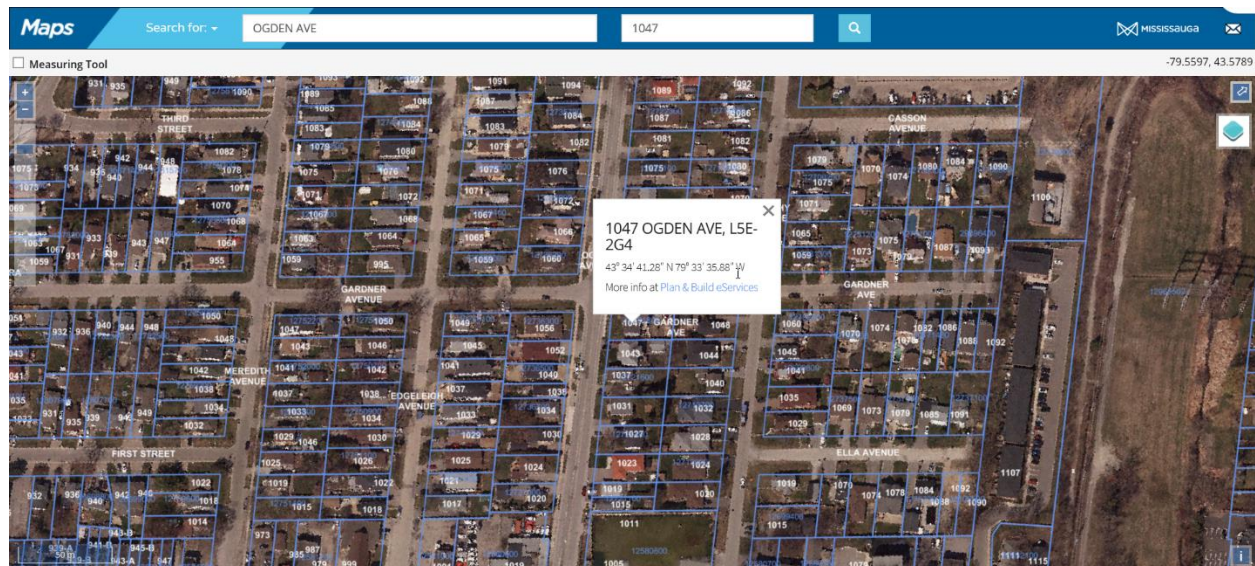
## Other Applications:

**Building Permit:** 19-7265

## Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of Lakeshore Road East and Ogden Avenue. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with a detached garage in the exterior side yard.

The application proposes a new detached garage, requiring variances related to lot coverage and deficient setbacks measured to the detached garage.



## 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 are as follows:

The application proposes a lot coverage of 44.90% whereas a maximum of 35% is permitted. In this instance, the increased lot coverage can be attributed to the rear deck and front covered porch. Excluding these features, the dwelling including the detached garage would have a lot coverage of approximately 33%, maintaining the by-law provision. The remaining variances relate to deficient setbacks measured to the garage. The rear yard setback of 0.30 m is measured to the narrowest point. At the widest point, the detached garage maintains a rear yard setback of 1.04 m, exceeding by-law provisions and minimizing the massing impact to the abutting property. The deficient side yard setbacks are common for corner lots throughout the immediate area. The proposed detached garage maintains a sufficient setback to the street and does not negatively impact the character of the streetscape. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process. Further, the proposed variances raise no concerns of a planning nature.

## Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, 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 garage will be addressed through the future Building Permit application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 20-3069. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 09/28/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

### Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-30/21, A-54/21, A-56/21, A-57/21, A-59/21, A-60/21, A-62/21, A-64/21, A-66/21.

Comments Prepared by: Diana Guida, Junior Planner