

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-03-31 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A116.21 Ward: 1
	Meeting date: 2021-04-08 3:00 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 allow the construction of an addition proposing:

1. An interior side yard measured to the garage of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the garage of 1.80m (approx. 5.91ft) in this instance; and
2. A combined width of side yards of 4.12m (approx. 13.52ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance.

## Amendments

Staff recommends that variance #2 be amended as follows:

A combined width of side yards of 4.09m (approx. 13.42ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance.

## Background

**Property Address:** 43 Oriole Avenue

**Mississauga Official Plan**

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

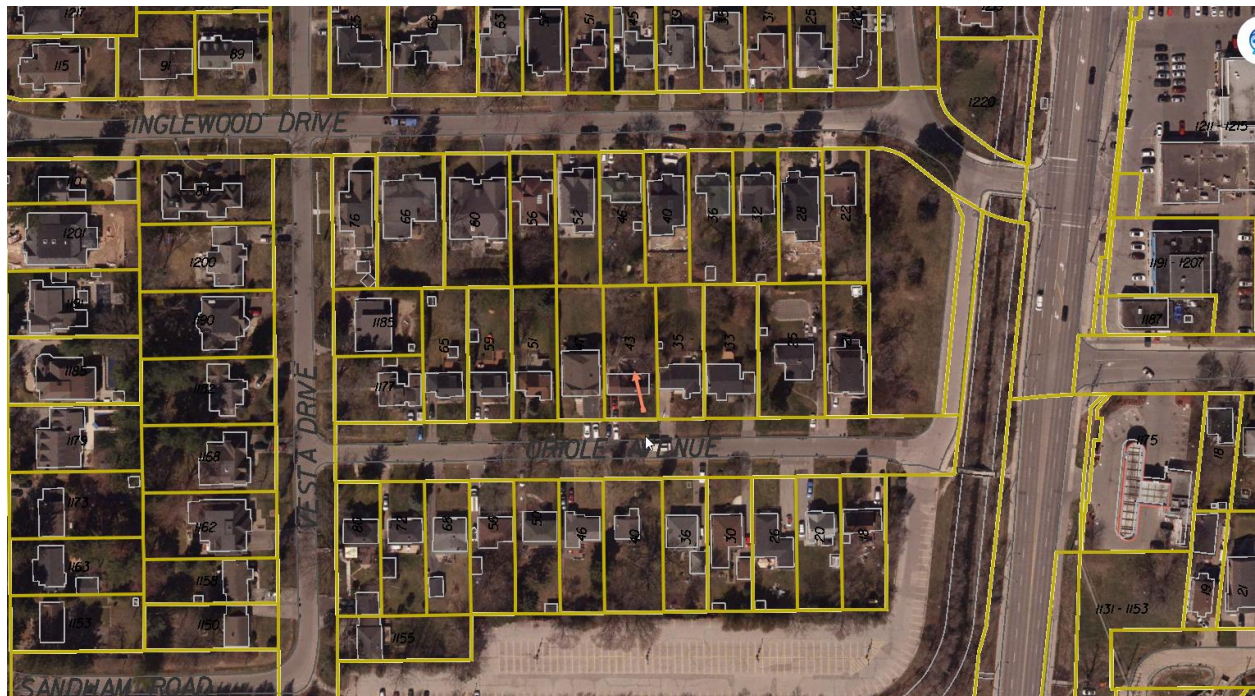
### Other Applications

Pre-Application: 21-4748

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and Inglewood Drive. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey detached dwelling with an attached garage on the westerly side of the dwelling.

The applicant is proposing to rebuild the attached garage, requiring variances related to a deficient side yard and combined side yard width setback.



## 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 proposed garage will be rebuilt on the existing foundation and will not encroach further into the side yard than what currently exists. The immediate neighbourhood historically consists of deficient side yards. The proposal will not cause any additional undue impact from what currently exists. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process and raises 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 addition will be addressed through the future Site Plan/Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review (PREAPP) under file 21-4748. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

2. A combined width of side yards of 4.09m (approx. 13.42ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner