

City of Mississauga Department Comments

Date Finalized: 2021-12-22	File(s): A537.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a gable roof with a side yard setback of 0.1m (approx. 0.3ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.2m (approx. 3.9ft) in this instance.

Background

Property Address: 1066 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 – Second Unit 20-3581

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of the Cawthra Road and Lakeshore Road East. The neighbourhood consists of newer and older one and two storey detached-dwellings. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The application proposes a second unit requiring a variance for side yard 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 subject property is located within the Lakeview Neighbourhood Area and is designated Residential Low Density II. This designation permits detached dwellings and second units.

The applicant is proposing a second unit and requires a variance for side yard setback. Staff note that the proposed side yard setback is a significant deviation from the minimum requirement contained in the zoning by-law, however, the proposed side yard setback is to an

existing dwelling. Furthermore, building permits indicate that the existing dwelling has existed on the subject property since the 1960s. Staff conducted a site visit on December 17th to evaluate the impact of the reduced side yard setback on the adjacent property to the south. During the site visit, staff identified similar setbacks in the immediate neighbourhood. While the submitted site plan shows an existing chain link fence dividing the subject property from the adjacent property to the south, staff note the fence no longer exists and staff are unable to accurately determine the location of the lot line.

Through a detailed review of the application, staff is of the opinion that the 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

This Department has no objections, comments or requirements with respect to C.A. 'A' 537/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing Building Permit under file SEC UNIT 20-3581. We advise that more information has been requested to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 2021/03/17 for the above captioned application. Please note that these comments may no longer be valid should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor