

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A181.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 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 an existing accessory structure and garage with:

1. An accessory structure height of 3.77m (approx. 12.37ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance;
2. A combined area of accessory structures of 49.3sq.m (approx. 530.66sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
3. An accessory structure floor area of 34.3sq.m (approx. 369.20sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A door below the Regulatory Flood Level identified by Credit Valley Conservation whereas By-law 0225-2007, as amended, does not permit a door below the Regulatory Flood Level identified by the Conservation Authority having jurisdiction (Credit Valley Conservation) in this instance;
5. A setback to the railway right-of-way of 25.6m (approx. 84.0ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway right-of-way of 30.0m (approx. 98.43ft) in this instance;
6. An interior side yard setback of 0.0m to the accessory structure whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.6m (approx. 2.0ft) to an accessory structure in this instance;
7. A building depth of 20.20m (approx. 65.68ft) whereas By-law 0225-007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance; and,
8. A side yard setback of 0.0m to the garage whereas By-law 0225-007, as amended,

requires a minimum side yard setback of 0.61m (approx. 2.0ft) to a garage in this instance;

9. An interior garage length of 4.62m (approx. 15.16ft) whereas By-law 0225-007, as amended, requires a minimum interior garage length of 6.00m (approx. 19.69ft) in this instance;

10. An unobstructed garage area of 2.80m x 4.62m x 1.87m (approx. 9.19ft x 15.16ft x 6.14ft) whereas By-law 0225-007, as amended, requires a minimum unobstructed garage area of 2.75m x 5.20m x 2.00m (approx. 9.02ft x 17.06ft x 6.56ft) in this instance;

11. A setback of 0.0m to the driveway whereas By-law 0225-007, as amended, requires a minimum setback of 0.60m (approx. 2.00ft) to a driveway in this instance; and,

12. A driveway width of 5.8m (approx. 19.03ft) whereas By-law 0225-007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

Background

Property Address: 1110 Claredale Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

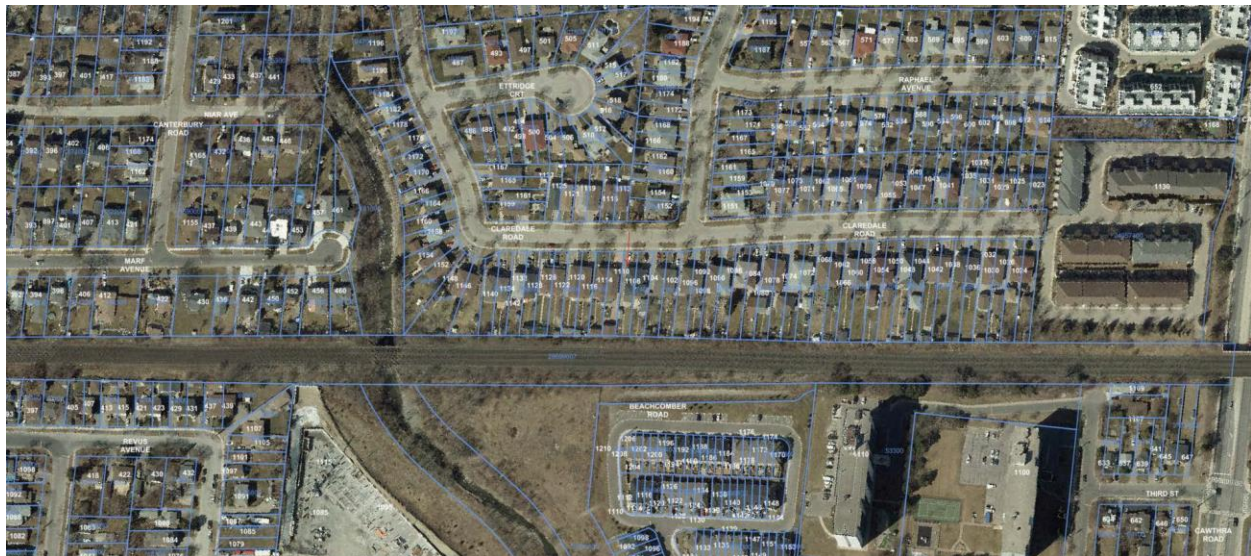
Zoning: RM1-26 - Residential

Other Applications: Building permit under file BP 21-7547

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southwest of Atwater Avenue and Northaven Drive. The immediate neighbourhood contains a mix of housing types, including older and newer one and two-storey detached and semi-detached dwellings with mature vegetation in the front yards. The subject property contains a one and a half storey semi-detached dwelling with mature vegetation in the front yard.

The applicant is seeking variances related to the accessory structure's height and area as well as setbacks and dwelling depth.



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 Schedule II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits semi-detached dwellings.

Variances #1-3 and 6 pertain to the proposed accessory structure. These variances are technical in nature as the proposed structure is attached to the existing semi-detached dwelling, which gives the appearance of an addition to the semi-detached dwelling. Based on the definitions in the zoning by-law, the proposal is not considered an addition because there is no internal access between the structure and the semi-detached dwelling. If the structure was considered to be an addition to the semi-detached dwelling, none of these variances would be required.

Variance #4 pertains to a door below the Regulatory Flood Level. Credit Valley Conservation staff have reviewed the subject application and have no concerns and no objection to the approval of this minor variance by the Committee at this time.

Variance #5 pertains to the railway right-of-way setback. The intent behind the minimum setback distance to the railway is to mitigate railway-oriented impacts on sensitive land uses such as noise, vibration, and safety hazards, in order to ensure that the quality of life the residents are not not negatively impacted. Planning staff have no concerns with this variance,

as the proposed setback is generally consistent with the setback provided by neighbouring properties.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. 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 accessory structure are being addressed through the Building Permit process, File BP 9ALT 21/7547.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 21-7547. Based on review of the information currently available in this permit application, the variances, as requested are correct, more information is required to determine whether additional variance(s) may be required.

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: Sherri Takaloo, Zoning Examiner