

City of Mississauga Department Comments

Date Finalized: 2022-06-08	File(s): A283.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-06-16 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 the construction of a canopy proposing:

1. A lot coverage of 44.46% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. A lot area of 272.74sq.m (approx. 2,935.75sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4,951.40sq.ft) in this instance;
3. An interior side yard setback (westerly) of 0.25m (approx. 0.82ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
4. An interior side yard setback (easterly) of 0.52m (approx. 1.71ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Recommended Conditions and Terms

We ask that the canopy structure be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent property to the north.

Background

Property Address: 63 Wesley Ave

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Medium Density

Zoning By-law 0225-2007

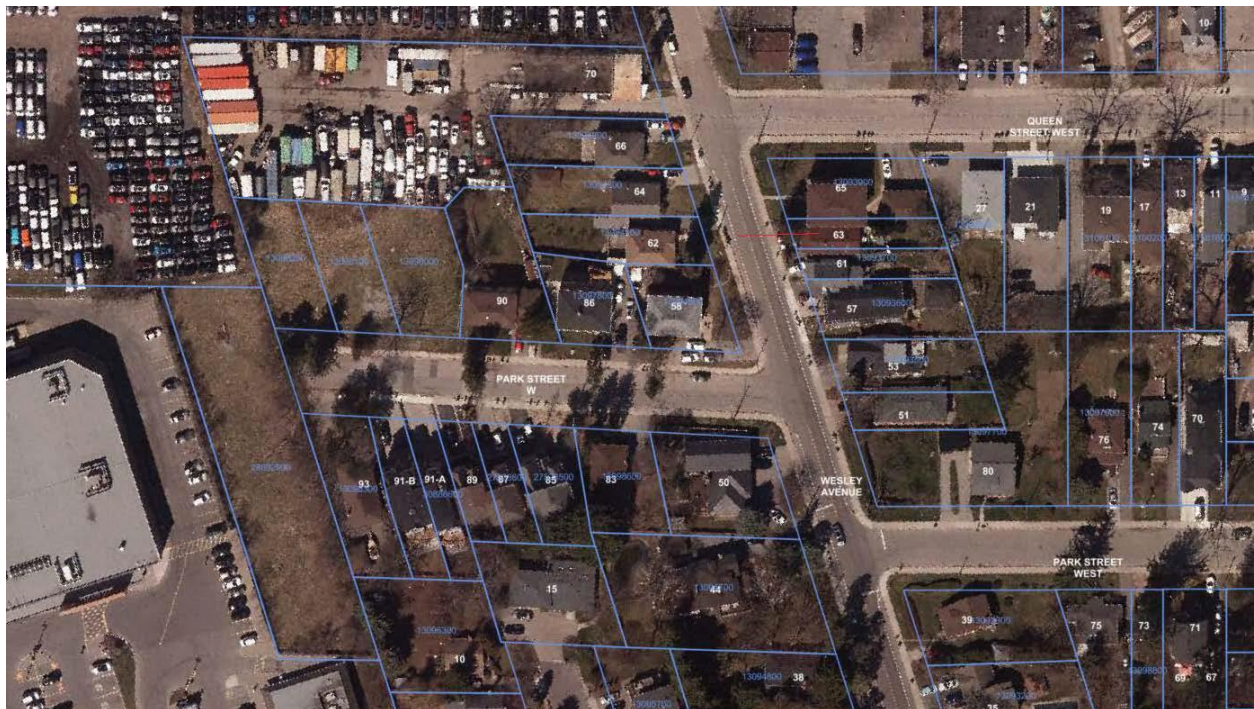
Zoning: RM4-64 - Residential

Other Applications: PREAPP – PAM 22-93, Building Permit – BP 9ALT 22-1040

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, northwest of the Mississauga Road and Lakeshore Road West intersection. The neighbourhood contains a mix of uses. The residential uses consist of one and two-storey detached dwellings and multi-unit residential buildings. Located along Queen Street West (immediately north) are a mix of industrial and commercial uses. The subject property contains an existing one-storey detached dwelling with little mature vegetation in the front yard.

The applicant is proposing a canopy over an existing porch requiring variances related to lot coverage, area, and interior side yard setbacks.



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 Medium Density in the Mississauga Official Plan (MOP), which permits all forms of townhouse dwellings. The subject property is also located within Special Site 18, which permits the following additional uses: detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling and street townhouses.

Staff note that the only variance required is to facilitate the proposed covered porch (variance #1). The remaining variances represent existing conditions and therefore will have a negligible impact on abutting properties and the streetscape.

Variance #1 pertains to lot coverage. The applicant is proposing a lot coverage of 44.46% where a maximum lot coverage of 40% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 33.14%, less than the maximum permitted under the by-law. The remaining portion of the lot coverage that exceeds the by-law is attributable to the covered porch and deck. Staff note that the deck is existing and the combination of the covered porch and deck do not add significant massing to the overall dwelling from what is currently permitted.

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

Enclosed is a photo of the existing front porch. We ask that the structure be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent property.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 22-1040. Based on review of the information currently available in this permit application, the following variance, as requested is correct:

1. A lot coverage of 44.46% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance

We also advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 04/29/2022 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Metrolinx Comments

Metrolinx is in receipt of the minor variance application for 63 Wesley Avenue to facilitate the construction of a canopy. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised that the development lands, 63 Wesley Avenue are located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the development lands. The Applicant is further advised that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator, Third Party Projects Review