

City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A356.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-21 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 the construction of a new dwelling proposing:

1. A minimum exterior side yard setback of 1.7m (approx. 5.6ft) to the dwelling whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.5m (approx. 14.8ft) to a dwelling in this instance;
2. A minimum exterior side yard setback of 2.5m (approx. 8.2ft) to the detached garage whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.5m (approx. 14.8ft) to a detached garage in this instance; and,
3. A driveway width of 8.34m (approx. 27.36ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1393 Alexandra Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 - Residential

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, northeast of the Atwater Avenue and Ogden Avenue intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling and is seeking variances related to exterior side yard setbacks and driveway width.



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

Variations #1 and 2 pertain to exterior side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and, in this case, the public realm. Staff is not concerned with these variations. Variance #1 will result in a greater setback than what currently exists and Variance #2 is generally consistent with what is existing on site and in the neighbourhood. Further, the municipal boulevard is wide, providing additional buffering between the public realm, the shed and the dwelling. The impacts of these variations are negligible.

Variance #3 pertains to a driveway width. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. The applicant's proposed driveway is an improvement over what currently exists on the subject property. Furthermore, the variance is only required for a small portion of the driveway where it bends on a 90 degree angle. The remaining portions of the driveway facing the street do not exceed zoning requirements.

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 new dwelling will be addressed by our Development Construction Section through the future Building Permit process.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

Furthermore, we note that a Building Permit is required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Andrew Wemekamp, Zoning Examiner

City of Mississauga Department Comments

Appendix 3 – Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Joseph Filice, Junior Planner