

City of Mississauga Department Comments

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| Date Finalized: 2022-07-20 | File(s): A333.22 |
| To: Committee of Adjustment | Ward: 1 |
| From: Committee of Adjustment Coordinator | Meeting date:2022-07-28 3:00:00 PM |

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing:

1. A side yard setback of 0.6m (approx. 2.0ft) to the detached garage whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 3.0m (approx. 9.8ft) in this instance;
2. A side yard setback of 0.40m (approx. 1.31ft) to the detached garage eaves whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.55m (approx. 8.37ft) in this instance;
3. An accessory structure height of 4.8m (approx. 15.7ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 4.6m (approx. 15.1ft) in this instance;
4. An existing driveway width of 6.8m (approx. 22.31ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and,
5. An existing setback of 0.0m to the driveway whereas By-law 0225-2007, as amended, requires a minimum setback of 0.6m (approx. 2.0ft) to a driveway in this instance.

Background

Property Address: 16 Woodlawn Ave

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: RM7-5 - Residential****Other Applications:** Building permit under file BP 9NEW 22-1075.**Site and Area Context**

The subject property is located within the Port Credit (East) Neighbourhood Character Area, southwest of Ogden Avenue and the South Service Road. The immediate neighbourhood is primarily residential, consisting of a mix of one and two storey-detached dwellings with limited mature vegetation in the front yards. The subject property contains an existing one-storey detached dwelling with minimal vegetation in the front yard.

The applicant is proposing a widened driveway requiring variances related to driveway width, and 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 designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi detached, duplex, triplex and street townhouse dwellings.

Planning staff is unable to assess variance #3 as staff have requested additional information to confirm the accuracy of this variance.

Staff is also concerned with variance #5, as no setback is proposed. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. Planning staff are also concerned with this variance, as no visual buffer would be provided to the adjacent property. Furthermore, providing no setback to the lot line may create surface drainage issues.

Planning staff have no immediate concerns with the remaining variances. However, recommend that the application be deferred to allow the applicant an opportunity to increase the setback to the existing driveway and meet with Zoning staff to confirm the accuracy of Variance #3.

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 detached garage will be addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 22/1075.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file **BP 9NEW 22-1075**. Based on review of the information currently available in this permit application, the variances # 1, 2, 4 and 5, as requested are correct.

Variance #3 regarding height of Accessory structure couldn't be confirmed at this time, additional information is required to confirm the variance.

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: Maria Fernandez, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 16 Woodlawn Ave to facilitate the construction of a detached garage. 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, 16 Woodlawn Ave 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