

City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A774.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 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 driveway width of 2.25m (approx. 7.38ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
2. An interior side yard setback to the driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.60m (approx. 1.97ft) in this instance;
3. An accessory structure height to the highest ridge of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and,
4. An accessory structure area of 13.37sq m (approx. 143.91sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

Background

Property Address: 11 Oakwood Ave S

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low density I

Zoning By-law 0225-2007

Zoning: R15-8 - Residential

Other Applications: BP 9NEW 22-4161, BP 9ALT 22-846

Site and Area Context

The subject property is located southwest of the Lakeshore Road East and Cumberland Drive intersection in Port Credit. The surrounding area context is exclusively residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a two-storey detached dwelling with mature vegetation in the front and side yards.

The applicant is proposing a detached garage requiring variances related to driveway width, interior side yard setback to driveway, accessory structure height and area.



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

Planning staff are unable to evaluate the applicant's request for variances #1 and 2 as the dimensions shown on the drawings submitted are inconsistent with the variances requested. Staff has no immediate concerns regarding variances #3 and 4 at this time.

Planning staff recommend that the application be deferred to allow the applicant an opportunity to provide revised drawings and/or variances. Furthermore, the location and dimensions of the proposed driveway are unclear and the shaded areas shown on the site plan do not contain labels. Additional variances for walkway width and setbacks to existing interlock hard surfaces may also be required. Lastly, staff recommend that the applicant discuss the proposal with Zoning staff through the existing building permit in order to confirm the accuracy of the requested variances and identify if additional variances are required.

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 garage are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-22/4161. We also mention that the right side of the garage is to be equipped with an eaves trough and down spout so that the roof drainage does not impact the neighbouring lot.

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 22-4161. Based on review of the information currently available in this permit application, the variances # 1, 2 and 4, as requested are correct.

We advise that more information is required in order to verify the accuracy of the requested variance # 3 or determine whether additional variance(s) will 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Metrolinx

11 Oakwood Ave S

Metrolinx is in receipt of the minor variance applications for 11 Oakwood Ave S to facilitate the construction of a detached garage and accessory building. Metrolinx's comments on the subject applications 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 the following:

Warning: The Applicant is advised that the subject land is 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 subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit 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 or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Comments Prepared by: Farah Faroque, Intern