

City of Mississauga Department Comments

Date Finalized: 2023-11-01	File(s): A424.23 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-09 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 a new house proposing:

1. An eaves overhang setback to the detached garage of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.75m (approx. 2.46ft) in this instance;
2. An interior side yard setback to the detached garage of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance; and,
3. A circular driveway for a lot with a frontage of 18.28m (approx. 59.97ft) whereas By-law 0225-2007, as amended, permits a circular driveway for a lot with a lot frontage of greater than 22.50m (approx. 73.82ft) in this instance.

Amendments

Zoning staff advise that an additional variance is required;

4. A proposed minimum setback to rear lot line for a detached garage of 0.61m whereas By-law 0225-2007, as amended, permits a minimum setback to rear lot line of 1.2m in this instance.

Background

Property Address: 3323 Joan Drive

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

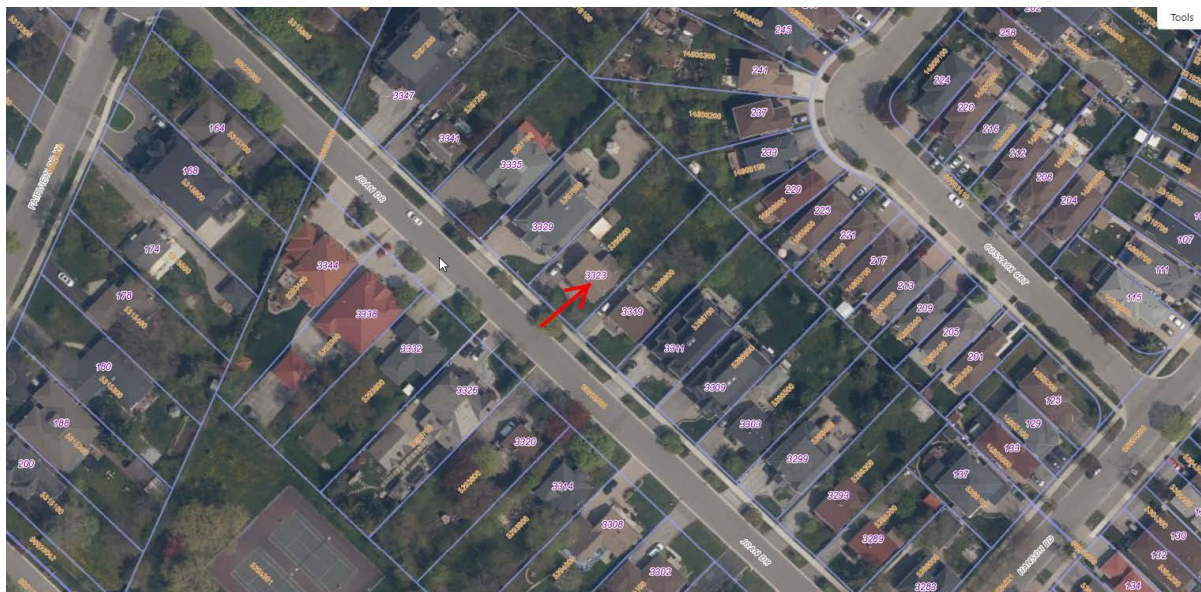
Zoning: R3- Residential

Other Applications: Building Permit application 23-8368

Site and Area Context

The subject property is located south-east of the Central Parkway West and Confederation Parkway intersection in the Fairview Neighbourhood. It currently contains a 2-storey detached dwelling with a detached garage. The property has minimal vegetation in both the front and rear yard. The property has an approximate frontage of +/- 18.29 m (+/-60ft) characteristic of lots in the area. The surrounding context is predominantly residential, consisting of one and two-storey detached dwellings on similarly sized lots.

The applicant is proposing a new dwelling requiring variances for side yard setbacks and circular driveway.



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 request are as follows:

The subject property is located in the Fairview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings.

The applicant is proposing a detached garage and driveway in the rear yard with reduced rear and side yard setbacks. The general intent of setback regulations in the by-law is to ensure that an appropriate buffer exists between abutting properties and that appropriate drainage patterns can be maintained.

Transportation and Works staff have identified drainage related concerns which should be addressed to mitigate impacts to abutting properties. Planning staff echo these comments and therefore recommend that the application be deferred in order to allow the applicant to address concerns raised by the Transportation and Works Department.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through the Building Permit Process.

It should be noted that the garage for this property is being proposed at the rear of the property which would require the driveway also being extended into the rear property. The proposed garage and driveway in the rear yard creates a significant sized hard surface area in the rear yard and from the information provided we note that drainage will not be self-contained within this property which may create some drainage related concerns. We are bringing this to the applicant's attention to advise that modifications may be required to the location of the garage in the rear yard to help alleviate some of the drainage being directed to the abutting properties or alternatively a rear lot catch basin may be required.

Comments Prepared by: Joe Alava, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 23-8368. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

We advise that an additional variance is required;

4. A proposed minimum setback to rear lot line for a detached garage of 0.61m whereas By-law 0225-2007, as amended, permits a minimum setback to rear lot line of 1.2m in this instance.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

3323 Joan Drive - A424.23

Metrolinx is in receipt of the minor variance application for 3323 Joan Dr to facilitate the construction of a new two-storey detached dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

- The Proponent is advised the following:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion 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 units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 – Region of Peel

Minor Variance: A-23-424M / 3323 Joan Drive

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality

issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner