

City of Mississauga Department Comments

Date Finalized: 2023-11-15	File(s): A420.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-11-23 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. An east side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. A west side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. An eastern eaves setback of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance; and,
4. A western eaves setback of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance.

Background

Property Address: 641 Third Street

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM7-6- Residential

Other Applications: BP 9NEW-23/8051

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northwest of the Cawthra Road and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential. The residential uses consist of two fourteen-storey apartment buildings, two and three-storey townhouse dwellings, and one and two-storey detached dwellings. Detached dwellings are located on lots with mature vegetation in the front yard. The subject property contains a one-storey detached dwelling with no vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requiring variances for 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 on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits all forms of townhouse dwellings. The subject property is also located within Special Site 13 on Figure 16 of the Lakeview Local Area Plan, which permits additional uses including detached dwelling.

The applicant is proposing to construct a new two storey detached dwelling. Staff note that the first floor of the proposed dwelling complies with setback regulations. The proposed setback variances are only required to the eaves of the proposed dwelling and second floor, which do not pose massing concerns.

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

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 dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW-23/8051.



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 23-8051. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-420M / 641 Third St

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

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 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 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 by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4 – Metrolinx

641 Third Street - A420.23

Metrolinx is in receipt of the minor variance application for 641 Third St to facilitate the construction of a new 2-storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

Conditions of Approval:

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

Comments Prepared by: Farah Faroque, Project Analyst