

# City of Mississauga Department Comments

Date Finalized: 2024-04-03	File(s): A409.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-11 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 an addition and porch proposing:

1. An interior side yard setback to the addition of 0.74m (approx. 2.43ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
2. A front yard setback to the porch of 5.48m (approx. 17.98ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 1066 Ogden Ave

### Mississauga Official Plan

**Character Area:** Lakeview Neighbourhood  
**Designation:** Residential Low Density II

### Zoning By-law 0225-2007

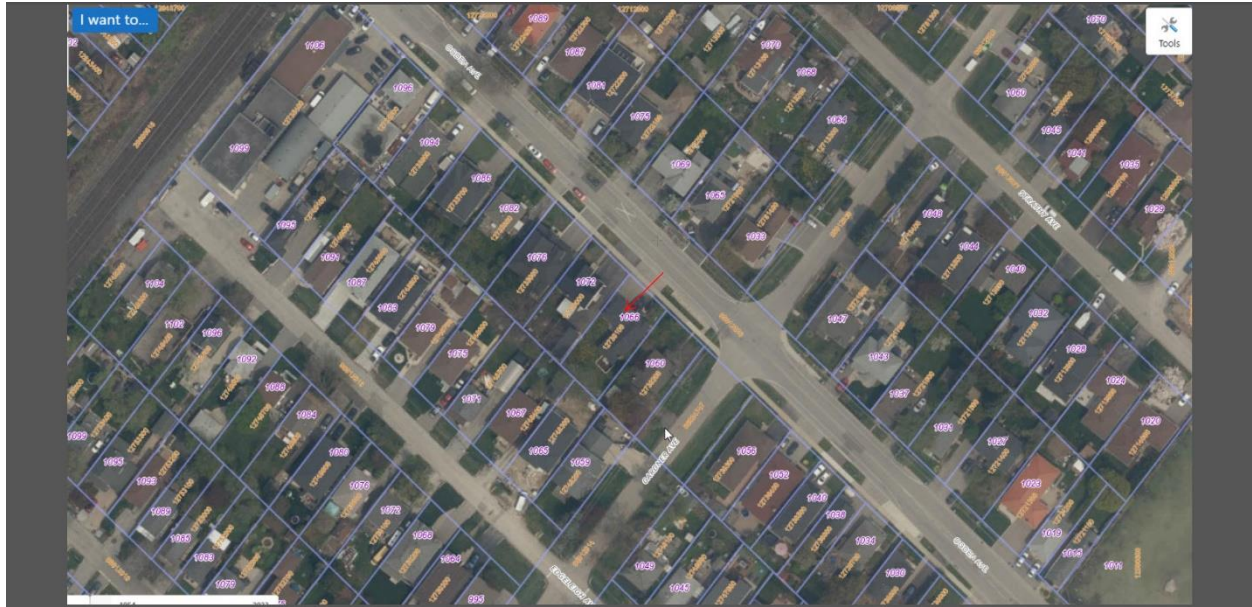
**Zoning:** R3-75- Residential

**Other Applications:** Building Permit application BP 9ALT 24-12

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Cawthra Road and Lakeshore Road East. The neighbourhood consists of newer and older one and two-storey detached dwellings. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a front porch and rear yard addition to the principal dwelling requiring variances for side and front yard 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 located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The application was deferred on November 9<sup>th</sup>, 2023, to allow the applicant an opportunity to work with Zoning staff to identify the required variances accurately. Staff note there have been no changes to the application since the first submission. Through discussion with Zoning staff, Planning staff have determined that Variance #2 has been calculated incorrectly. While Planning staff are not in a position to provide a zoning review, through a review of the site plan drawing submitted, it appears that a variance for lot coverage is also required.

Planning staff note there is a current Building permit application under review for the subject property through which additional variances may be identified and as such, Planning staff are of the opinion that the application is premature.

As such, Planning staff reiterate comments made in their original report dated November 9<sup>th</sup>, 2023, and maintain the position that the applicant be deferred to accurately identify all variances before the application can be evaluated against the four tests.

Comments Prepared by: Shivani Chopra, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Please apply previous comments.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 24-12. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Gary Gagnier; Zoning Examiner

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

### Appendix 4 – Metrolinx

#### **1066 Ogden Ave - A409.23- Deferred**

Metrolinx is in receipt of the minor variance application for 1066 Ogden Ave to facilitate the construction of an addition and porch to the existing 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.

#### **Advisory Comments:**

- 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 - Project Analyst, Third Party Projects Review