

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): A197.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-05-16 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 an addition proposing:

1. An interior right side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
2. An interior left side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
3. A landscaped soft area of 37.22% whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40.00% in this instance;
4. A left side yard setback to the eaves of 0.45m (approx. 1.48ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.75m (approx. 2.46ft) in this instance.

Amendments

The Building Department is processing Building Permit application 24-823. Based on review of the information available in this application, we advise that following amendments are required:

Delete variance 1.

Amend variance 2:

2. An interior left side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance;

Background

Property Address: 4162 Wheelwright Cres

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

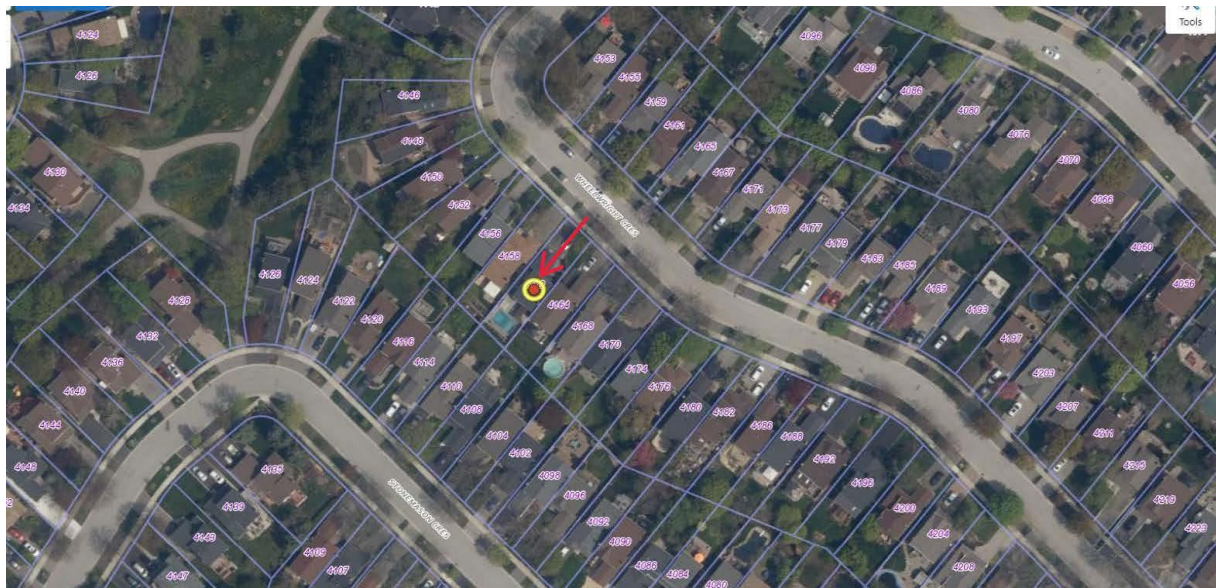
Zoning: RM1-Residential

Other Applications: Building Permit application 24-823

Site and Area Context

The subject property is located east of the Erin Mills Parkway and Folkway Drive intersection. The surrounding area is primarily residential, consisting of two-storey detached dwellings. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a two-storey addition requiring variances related to setbacks and soft landscaped 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 located within the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP).

The Zoning Department has identified two potential variances for the existing driveway which have not been included in the application. Planning staff are not in a position to identify these variances.

Planning staff note that proposals for reduced landscaping are seldom supported by staff. Staff are also unable to assess the true impact of variance #3 for reduced landscaping, in the absence of the additional driveway variances.

As such, Planning staff recommend that the application be deferred to allow the applicant an opportunity to work with Zoning staff to identify the missing variances. Once this information is provided, staff recommends that the applicant engage in discussion with Transportation and Works and Planning staff to determine the feasibility of the proposal.

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 or /requirements for the proposed addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 24/823.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-823. Based on review of the information available in this application, we advise that following amendments are required:

Delete variance 1.

Amend variance 2:

2. An interior left side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance;

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

The existing driveway was modified around 2016 and does not appear to comply. The maximum permitted width of a driveway is 4.52m in this instance, and the minimum setback of a driveway to a property line is 0.6m

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

Minor Variance Application: A-24-197M / 4162 Wheelwright Crescent 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: Petrele Francois, Junior Planner