

# City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A299.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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. A height to the highest ridge of 10.20m (approx. 33.47ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
2. A lot coverage of 46.52% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An exterior side yard setback of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An exterior side yard setback from the garage face of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback from the garage face of 6.00m (approx. 19.69ft) in this instance;
5. An interior side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
6. A rear yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) in this instance;
7. A westerly awning encroachment into the front yard of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum awning encroachment into the front yard of 0.61m (approx. 2.00ft) in this instance;
8. 2 driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance;
9. An attached garage area of 83.61sq m (approx. 899.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum attached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;

10. A detached garage area of 103.96sq m (approx. 1119.03sq ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
11. A detached garage lot coverage of 17.00% whereas By-law 0225-2007, as amended, permits a maximum detached garage lot coverage of 10.00% in this instance;
12. A detached garage height of 8.90m (approx. 29.20ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60m (approx. 15.09ft) in this instance;
13. A detached garage eaves height of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage eaves height of 3.00m (approx. 9.84ft) in this instance;
14. An exterior side yard setback for the detached garage of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback for the detached garage of 0.61m (approx. 2.00ft) in this instance; and,
15. A westerly eaves encroachment for the dwelling of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment for the dwelling of 0.45m (approx. 1.48ft) in this instance.

## Background

**Property Address:** 1057 Dixie Road

### Mississauga Official Plan

Character Area: Lakeview Neighborhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

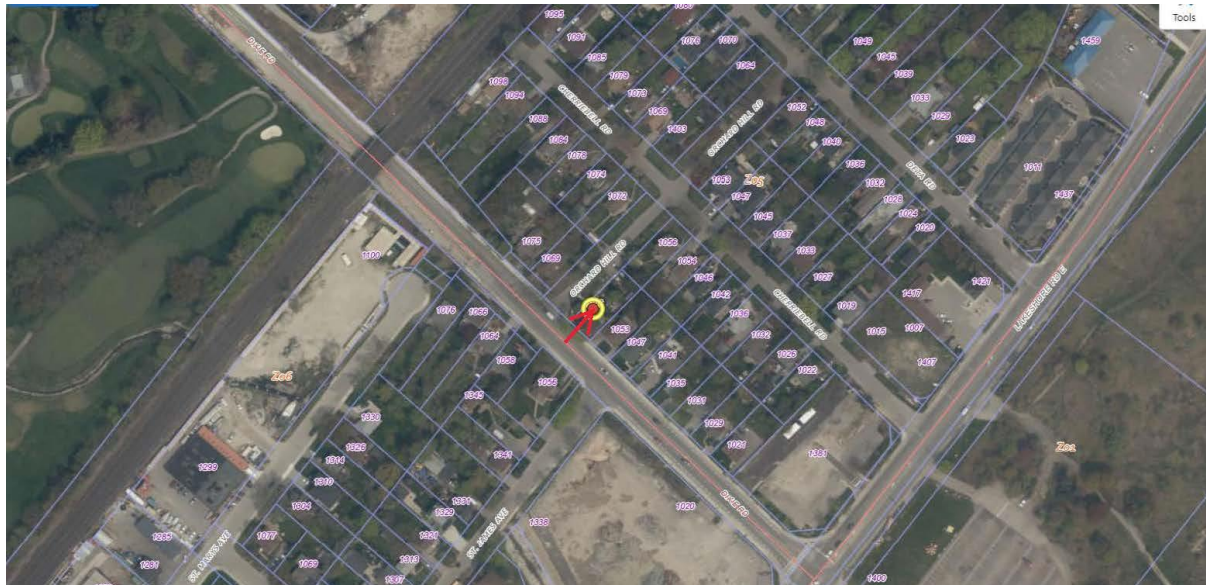
**Zoning:** R3-75-Residential

**Other Applications:** None

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north-east of the Dixie Road and Lakeshore Road East intersection. The immediate area consists primarily of two storey detached dwellings with mature vegetation in the front yard. There are industrial uses in the vicinity. The subject property contains an existing two-storey detached dwelling with some vegetation in the front yard.

The applicant is proposing the construction of an addition requesting variances for dwelling height, lot coverage, interior and exterior side yard setbacks, rear yard setback, front yard encroachment, along with variances for the attached and detached garage areas, heights, eave height, lot coverage, and setback.



## 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 I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The applicant is proposing an addition to the dwelling along with a detached garage in the rear yard. Planning staff have identified a number of concerns with variances #2 to #15.

Variance #2 pertains to lot coverage. Upon review of the statistics contained on the site plan drawing, Planning staff are of the opinion that the requested variance may be incorrect and warrants further evaluation. If the figures contained on the site plan drawing are correct, staff are of the opinion that the true lot coverage is 56.35%. Staff are of the opinion that this lot

coverage is excessive, disproportionate, out of character for the surrounding area and indicative of an overdevelopment of the property.

Further, variances #10-#14 all pertain to the detached garage. Staff are of the opinion that the proposed height, area, setback and lot coverage are excessive, and would pose massing concerns and represent an overdevelopment of the property. Further, while Planning staff are not in a position to provide a Zoning review, it appears that a variance for 2 garages might be required. The variances proposed for the detached garage in conjunction with variance #9 for the attached garage amplify the impact of excessive garage massing. Further, the detached garage does not appear subordinate to the detached dwelling and the proposal presents the garages as the dominant feature of the dwelling. Staff are of the opinion that the proposal does not maintain sufficient amenity space within the rear yard.

Planning staff has concerns with the application regarding the proposed variances, representing overdevelopment of the lot. The cumulative impact of the reduced setbacks (Variances #3-#6, #14) along with a substantial increase in lot coverage and garage areas is not minor in staff's opinion. Furthermore, staff are of the opinion that the proposal does not maintain compatibility with the existing dwellings in the neighborhood and does not preserve the neighborhood's character. These variances will create a dwelling with significant massing and will negatively impact the neighborhood's character.

Additionally, Transportation and Works staff have raised concerns regarding the setback for the detached garage at the Orchard Hill Road frontage and the proposed second access (Variance #8). Further, Compliance & Licensing Enforcement has raised concerns over an existing hot tub which the applicant may wish to address.

Given these concerns, staff recommend the deferral of the application. This deferral is intended to provide the applicant with the opportunity to engage in discussions with staff regarding issues identified above and redesign the proposal. The recommendation also suggests that the applicant submit a building permit application following a discussion with Planning staff to confirm the required variances and their accuracy.

Comments Prepared by: Shivani Chopra, 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 dwelling itself will be addressed by our Development Construction Section through the future Building Permit process.

Our Traffic Section is not in support of the second access point from Orchard Hill Road.

Furthermore, we cannot support the zero setback for the detached garage at the Orchard Hill Road frontage. There is no space for vehicles to safely be parked.

Comments Prepared by: John Salvino, Development Engineering Technologist









## Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, 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:



City Department and Agency Comments	File:A299.24	2024/07/17	8
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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.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

## Appendix 4 – Region of Peel

### Minor Variance: A-24-299M / 1057 Dixie Road

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

#### Comments:

- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 4.3, that all hydrants near driveways shall have a minimum of 1.25m clearance from the projected garage or edge of driveway, whichever is greater.
- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 6.6, that all residential service boxes (curb stops) shall be installed in grass areas with a minimum distance of 1.0 meter from the edge of the driveway.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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](mailto:siteplanservicing@peelregion.ca)



- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto: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](mailto: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](mailto:PWServiceRequests@peelregion.ca)

Transportation Development: Damon Recagno (905) 791-7800 x3440

**Comments:**

- The Region will not support a driveway off of Dixie Road, continued use of driveway off of Orchid Hill is supported.

Comments Prepared by: Petrele Francois, Junior Planner

**Appendix 5- Metrolinx**

Metrolinx is in receipt of the Minor Variance application for 1057 Dixie Road to construct a two-storey addition to the existing dwelling as well as to construct a new two-storey detached garage in the rear yard, as circulated on June 25th, 2024, and to be heard at Public Hearing on July 25th, 2024, at 1:00 PM. 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.

**GO/HEAVY-RAIL – ADVISORY COMMENTS**

- The Proponent is advised of 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.

City Department and Agency Comments	File:A299.24	2024/07/17	10
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Should you have any questions or concerns, please contact [farah.faroque@metrolinx.com](mailto:farah.faroque@metrolinx.com)

Comments Prepared by: Farah Faroque, Project Analyst

## **Appendix 6 – Compliance & Licensing Enforcement**

In relation to A299.24 for 1057 Dixie Road, the property owner has an existing hot tub which does not have an enclosure certificate of approval. The property owner needs to remove the hot tub or apply for and obtain an enclosure certificate of approval. As a part of the application, staff will review the location of the hot tub to ensure it meets the requirements of the Zoning By-law and Swimming Pool Enclosure By-law.

Comments Prepared by: Blaine Williamson, Municipal Law Enforcement Officer